

**OSWALD IN
NEW ORLEANS:
CASE OF
CONSPIRACY
WITH THE C.I.A.**

By

Harold Weisberg

Oswald in New Orleans

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FOREWORD

WITH LIBERTY AND JUSTICE FOR ALL

An identifying characteristic of the super-state is its readiness to conceal from the people facts which might make them restless in order to maintain power its officials must keep the populace believing that it is living in the best of all possible worlds.

Consequently, those in control of the governmental machinery sometimes find it necessary to re-write history as fast as it happens. The truth becomes not what occurred but what they announce has occurred. Reality becomes just another government-controlled commodity.

If the official myth to be presented is particularly unbelievable it may be necessary to have honorable men study it and announce that they have found it to be true.¹ This is not really as difficult as it sounds because there is nothing to which honorable men joined in an honorable cause will not stoop in the name of duty. As a general rule of thumb, the more unbelievable the story the more honorable should be the men assigned to prove its veracity.

To date, George Orwell's 1984 provided the best fictional portrait of the correction of history to suit current political needs. In Oceania, that dismal land presided over by Big Brother, the power of the government had become Gargantuan and the rights of individuals virtually had vanished. In order to maintain this balance, the Ministry of Truth continually was engaged in improving history to make it reflect government pronouncements. This was justified on the ground of 'national security,' a reasonably

¹In 1939 after having invaded and conquered western Poland because of alleged Polish atrocities committed against German individuals the German government appointed a committee to make a careful study to determine the facts with regard to the claimed Polish misconduct. The final printed report of the study contained much documentary evidence including not only photographs, affidavits and countless medical certificates but an authenticated quotation from the year 1598 to the effect that barbarous cruelty was one of the vices of the Polish people. The report confirmed that the Poles indeed had committed atrocities against Germans and it indicated that things would have been even worse were it not for the timely arrival on Polish territory of the German rescuers. The conclusions of this painstaking study by a government-appointed committee meant that Adolf Hitler would not have to withdraw his armies and apologize to Poland. See: "Polish Acts of Atrocity Against the German Minority In Poland," German Library of Information, New York 1940.

honest rationale inasmuch as the government could not have survived without such wholesale concealment of facts.

If, for example, Big Brother made an error which was exposed by statistics, the offensive statistics were destroyed and more satisfactory statistics were published. If books or newspapers described facts which were embarrassing to the government, they were merely re-written so as to conform with official legend. The original troublesome material was simply filled in the "memory hole," a chute leading down to the incinerator. The government's policy of vaporizing into nothingness unpleasant facts contributed in great measure to the calm of the populace of Oceania. This was helped by the fact that individuals who interfered with the public calm also tended to disappear.

"Who controls the past," said the official slogan of the super-state, "controls the future."

It now appears that, twenty years ahead of Orwell's schedule, the United States has succeeded in producing the classic model of re-writing history to conform to official needs. It is hard to assay this accomplishment when we are still so close to it, but when our contributions to civilization are added up this well may rank ahead of our invention of napalm.

When the President of our country was executed on a public street, one would have thought that there would have been a general uncomplicated desire to catch the assassins and to bring them all to justice. After all, there was sufficient information available information concerning the strange movements of cars behind the grassy knoll immediately prior to the assassination, the fusillade of rifle fire coming from there and the rapid departure of men on foot and by car from that sector following the shooting. Apparently, however, it was not as simple as all that. It appears that when a President's heart stops beating considerations of power and policy take over.

Instead of running down the men who killed John Kennedy, the U.S. government simply ratified his execution and moved on to more important matters. With regard to the men who actually killed him, because of their displeasure with his foreign policy, the assassination has been treated not as an offense but as a mandate for change.

The young man so promptly nominated by the Dallas Police Force was duly elected the lone assassin. He had excellent qualifications, provided they were not examined too closely. He wore the tag of a Communist defector who had spent 3 years in Russia. He had been murdered, which assured that there would be none of the time consuming problems of proof which a live defendant would have presented. And his gun and 3 empty cartridges had been placed at the 6th floor of the book depository.

In spite of these conveniences there was a slight problem. The overwhelming weight of legitimate evidence clearly indicated that he could not possibly have fired a shot at the President.

There was, to begin with, the fact that the rifle originally brought down from the book depository at 1:05 p.m., and briefly exhibited as the assassin's rifle, had -- unlike Lee Oswald's rifle no telescopic sight. There was the fact that the Marine Corps shooting records showed that Oswald could not hit the side of a barn. There was the tense fact that the nitrate test indicated that Oswald had not fired a rifle of any kind. There was the fact that the ancient Italian rifle, which Oswald was supposed to have used, could not conceivably have accomplished the ballistic miracle with which it was credited -- particularly causing a single bullet to inflict seven different wounds, including bone destruction, in two different men. There was the fact that the President was hit from several different directions and that his fatal wound quite obviously was received from his right front, in the area of the grassy knoll.

To make matters worse, there were probably more witnesses to President Kennedy's murder than to any other in history and the great majority of them were very conscious of the fact that most of the shots came from in front of the President. There was also the embarrassing evidence that Lee Oswald had been an employee of the Central Intelligence Agency and had acquired the stigma of a Communist defector while in the service of the United States and as the result of instructions given him by the United States government. Most of the embarrassing evidence was simply buried at the outset in a swift funeral devoid of ceremony.

The autopsy photographs and X-rays, for example, which would have revealed that the President was struck from a number of directions,² were whisked away and have been kept hidden ever since. By now there has been time to construct new autopsy photographs and X-rays which more closely harmonize with the official myth than did the original ones.

Hundreds of significant government files and memoranda have been laid away in vaults where they cannot be seen. Among the hidden Central Intelligence Agency files alone are to be found such titles as: "Oswald's Access to Information about the U-2," "Reproduction of Central Intelligence Agency Official Dossier on Oswald" and "Information on Jack Ruby and Associates." Inasmuch as we have been assured by honorable men that neither Oswald nor Ruby had any connection with the Central Intelligence Agency it probably would be unpatriotic to speculate on what these secret files contain.

As bad luck would have it, a rash of conflagrations swept away other vital evidence in the government's custody. The only notes known to be taken during the long 12-hour interview of Lee Oswald after the assassination appear to have been burned. Notes taken by a federal agent who interviewed Oswald before the assassination also went up in flames. A secret Central Intelligence Agency memo concerning Oswald, written prior to the assassination, went up in smoke while being Thermofaxed. This phenomenal instance of spontaneous combustion occurred in Washington the day following the assassination. The autopsy notes describing the President's wounds were cremated in his fireplace by the attending Navy pathologist.

This is not to say that the government has not shown concern for the people's right to know. For those citizens who are curious about how and why their President was killed, the Ministry of Truth has made available the dental charts of Jack Ruby, photographs of Russian scenery, grammar school records of Oswald and Ruby, a careful analysis of Oswald's pubic hairs, irrelevant letters, irrelevant telegrams,

2Dr. Robert N. McClelland, at Parkland Hospital, examined the President and concluded that the cause of death was a gunshot wound of the left temple. Similarly, Dr. Marrion Jenkins recalled in his testimony before the Warren Commission, that there was a wound in the left temple, right in the hair-line. The book depository, although it may since have moved, at the time of the assassination was located to the rear of the President.

picture postcards showing bullfights, a copy of the proceedings in an unrelated divorce case, a list of traffic citations received by Jack Ruby, and an excellent photograph of an unidentified man.

For those whose curiosity about the assassination may not have been satisfied with this frank display of evidence, it has been announced that even the secret files will be made available. There will, however, be a slight delay of 75 years before they can be examined. This farsighted provision not only assures a long period of national tranquility with regard to the assassination, but also substantially reduces the danger of the involved government officials being lynched.

Of course, there is no real guarantee that, even if you are very patient, you will actually get to examine these files in 75 years. New concerns by the government with regard to national security may require an additional 75 years delay, and it even might come to pass that one day it will be announced from Washington that actually no assassination ever occurred. In time, it can be explained that John Kennedy really never existed at all and that Dwight Eisenhower was followed by Grover Cleveland or Calvin Coolidge, all depending on which words best suit the government's purpose at the time. Any of these announcements would be every bit as accurate as the official myth that Lee Harvey Oswald, the lone assassin, killed President Kennedy.

In the super-state, it really does not matter at all what actually happened. Truth is what the government chooses to tell you. Justice is what it wants to happen.

In Dealey Plaza reality destroyed illusion, the illusion that we were living in the best of all possible worlds. The fairy tale of the lone assassin represents an effort to resurrect the illusion, to legitimize it by proclamation and to impose it by muscle.

In the interest of tranquility the decision has been made somewhere that it is better for you not to know what really happened. It is better for you not to know that at midday on November 22nd there were many men who, in many places, were glancing at their watches. It is better for you to believe that the successive murders of the President of the United States, Officer Tippit and Lee Oswald were simply three meaningless incidents which happened to occur one weekend in Dallas.

Above all, it has been decided that you are not to know of Lee Oswald's relationship with the Central Intelligence Agency. Nor are you to know that a number of the men actually involved in the assassination had been employees of the Central Intelligence Agency. You are not to know about those matters because of something called "national security."

When national security is used as the excuse for concealing essential facts surrounding a disaster, it usually refers to the security of the men who allowed the disaster to occur. Actually, the greater threat to national security is the cynical concealment of such facts from the people.

Behind the facade of earnest inquiry into the assassination is a thought control project in the best traditions of 1984. Because of their role in the Establishment and their failure to conduct any effective inquiry, major news agencies have a vested interest in maintaining public ignorance. They look away from the widespread evidence that something is wrong, just as the members of the Warren Commission looked away from the autopsy photographs and X-rays of the murdered President.³ Tranquility, the time-honored message reads, is better than knowledge.

In the authoritarian state, it is regarded as a self-evident truth that the control of history is an inalienable right of government. All words are created free and equal.

If it is proclaimed in Washington tomorrow that the moon is made of Limburger cheese, a horde of honorable men can be produced to attest to that fact. If it is proclaimed that an elephant can hang from a cliff with its tail tied to a daisy, a phalanx of experts will appear to confirm it. Anyone rash enough to question these official verities can expect to be exposed as a villain or a fool. The name of the game is not truth -- it is power.

³To a man the members of the Warren Commission refused to examine the autopsy photographs and x-rays. This evidence could have clarified once and for all the number of times the President was shot and the various directions from which he was shot. The Commission, however, loyally refused to play Russian Roulette with the "lone assassin" theory. The envied autopsy evidence was locked away behind concrete walls and the Dallas Police Department scenario duly was adopted as the official national myth.

The Ministry of Truth has announced that the assassination of John Kennedy was investigated exhaustively, that no evidence of a conspiracy was found and that the matter should be considered closed.

The greatest lies are told in the name of truth. The greatest crimes are committed in the name of justice.

The American people have suffered two tragedies. In addition to the assassination of the President by dishonorable men, our national integrity is now being assassinated by honorable men. It does not matter what the rationale is -- whether to calm the public or to protect our image -- the fact remains that the truth is being concealed.

The United States Constitution, assuming that it has not accidentally been burned to a crisp, does not give anyone the power to re-write history. The fact that this has happened should be evidence enough that it is far later than any of us have dreamed.

The question now is whether we have the courage to come face to face with ourselves and admit that something is wrong, whether we have the will to insist on an end to deception and concealment with regard to the execution of John Kennedy -- or whether we will let the official fairy tale be told and re-told until the truth itself fades into a vagrant rumor and finally dies forever.

If we will not fight for the truth now -- when our President has been shot down in the streets and his murders remain untouched by justice -- it is not likely that we will ever have another chance.

JIM GARRISON

New Orleans, Louisiana

September 1, 1967

PROLOGUE

"The scenario guiding New Orleans District Attorney, Jim Garrison, in his investigation of President Kennedy's assassination can be glimpsed in any bookstore"; the *Washington Post* told its half-million readers the morning of March 3, 1967.

"The investigation is Garrison's but the script apparently started with Harold Weisberg . . . former Senate investigator and author of *Whitewash* . . . the story continued.

George Lardner Jr., who I quote on several occasions in this book, wrote this article. Prior to his first trip to New Orleans, I had "briefed" his national-desk editor. On the way down, Lardner had read *Whitewash: The Report on the Warren Report*. He phoned me on his return, prior to writing this account. It continues:

"Weisberg contends that Lee Harvey Oswald was not the real assassin that day in Dallas. So does Garrison.

"Weisberg contends that Oswald didn't kill Dallas police officer J. D. Tippit either . . . So does Garrison . . . the District Attorney labeled Oswald a 'decoy, a fall guy, and a victim.' Weisberg says he said as much a year ago (*Whitewash* 138).

"Weisberg also charges that the assassination was also deeply wound up with the plotting of anti-Castro Cuban exiles anxious to kill Fidel Castro, but also angry at Kennedy for the failure of the 1961 Bay of Pigs invasion. Garrison is taking the same tack . . . Weisberg contends that a 'False Oswald' (*Whitewash* 137-54) was involved . . . Garrison . . . is looking for a False Oswald' . . .

"Weisberg had a hard time getting *Whitewash* printed. He sent it to 63 U.S. publishers, finally putting it out . . . at his own expense, calling it 'The Book That Couldn't Be Printed' . . . publishers were afraid to risk government wrath . . ."

Two months later, in a May 9 dispatch "from our own correspondent" in Washington, the august and respected *Times* of London ran this story under the headline, "Mystery of Kennedy Inquiry Cleared Up":

MYSTERY OF KENNEDY

INQUIRY CLEARED UP

From Our Own Correspondent -- Washington, May 9

One mystery of the rather mystifying investigation of the Kennedy assassination now being conducted by Mr. Jim Garrison, the Attorney General of New Orleans has been cleared up. The source of much of his information is Mr. Harold Weisberg, the author of *Whitewash: Report on the Warren Commission*.

Mr. Weisberg, who was one of the first to question the conclusions of the Warren Commission, returned to his home in Maryland today after assisting Mr. Garrison and his staff. It was not his first visit to New Orleans, he was at Mr. Garrison's side when the investigation was announced.

His book was not well received by the critics, and indeed was privately printed after it had been rejected by a number of publishers in New York and London. It is rather shrill in tone, but no one has questioned his honesty.

He has subsequently written two more books. *Whitewash: F.B.I. Secret Service Cover-up*, and *CIA Whitewash: Oswald in New Orleans*.

It was these two books, with supporting documents, which were made available to Mr. Garrison.

The honorable British paper gave me more credit than is due.

When the Garrison investigation was still secret, I planned this book to include only what I had dug out of the government's deepest recesses. After the story broke and became first a national sensation and then a press whipping boy, I decided to weave into it as I wrote part of what became public. The purpose was to give the reader the most complete account possible.

It is in deference to my wishes, my strong belief that the essential in a democratic society is information not polish, that Parallax has agreed to bring this book out without the attentions it should have. For this I acknowledge regret, gratitude and indebtedness.

Harold Weisberg

Hyattstown, Md.

July 2, 1967

INTRODUCTION

David W. Ferrie, described by New Orleans District Attorney Jim Garrison as "one of history's most important individuals," is now dead. His death is and will remain a mystery even with scientific determination of cause. Ferrie died on February 22, 1967, just as he was about to be arrested for the second time in connection with the assassination of President John F. Kennedy. That he had been arrested in this connection on November 25, 1963, by the New Orleans District Attorney was known to the President's Commission on the Assassination of President Kennedy *but is totally suppressed from its 900-page Report* as is any reference to Ferrie's name.

The day of Ferrie's murder-suicide-death from natural causes -- all versions find and will find adherents -- Garrison admitted he had delayed arresting Ferrie in order to continue his investigation. He and the world may now regret it, although impartial hindsight confirms his judgment. Ferrie's death, to me at least, was no surprise. Whatever its cause -- and I have no reason to dispute the coroner's verdict of "natural causes" -- I feared it.

On New Year's Day 1967, a man who must, for the moment, remain anonymous, wrote me a letter. This is a day on which most Americans do not work. The letter was a work letter, not pleasantries. It came from a small town in Texas where I have a good friend, Penn Jones, Jr., and had been preceded by an elliptical telephone call from my friend informing me that there was in progress an official -- but not federal -- investigation of one aspect of the assassination of President Kennedy. Both Penn and I were, of course, excited at the prospect of an official action because both of us are convinced that the Report of the President's Commission is a whitewash.

Penn published his own book saying this on the presses of his own weekly newspaper, the *Midlothian Mirror* with a grand circulation of 765. His book is entitled *Forgive My Grief*. Penn is an expert on the mysterious deaths of people sometimes closely, sometimes seemingly only indirectly, connected with opposition to the government's account of the assassination in what we each call "a

strange upsetting of the actuarial tables." I have written and published my own books, *Whitewash: The Report on the Warren Report* and *Whitewash II: The FBI-Secret Service Coverup*.

I think Penn and his wife Louise are two of the bravest people I have ever met, doing and saying what they are, in Texas, only 26 miles from Dallas. The man who wrote me must also have considerable courage.

"On page 19 of *Whitewash II*," he began, "you refer to Marina Oswald's being asked whether she knew a 'Mr. Farry.' As I understand it from the preceding pages, this information was obtained from the report of Secret Service Agent Charles Kunkel and this question was actually asked on the night of November 24, 1963."

November 22, 1963, is the date of the assassination of President Kennedy. November 24 is the date of the murder of Lee Harvey Oswald. Marina's husband had already been shot when the Secret Service spirited her out of Dallas. They tried to hide it from her. They took her to the bedside of her then-dead husband only when the widow and her mother-in-law, Mrs. Marguerite Oswald, "insisted," in the words of the Secret Service's own account of the incident.

Before her husband's body was cold that Sunday, November 24, 1963, without benefit of advice or counsel, Marina was secretly returned to the Arlington, Texas, hiding place in which she was kept for three months of captivity called "protective custody" and promptly subjected to an intensive grilling. Let's face it: she was sweated and threatened. The Secret Service told her that if she wanted to stay in this country (from which she was subject to immediate deportation to her native Russia where she could expect no welcome) she had better "cooperate." Her "cooperation" began with an immediate, lengthy, and taxing interrogation that was tape-recorded. The English transcript of it, which I have and will print in *Whitewash III: The Archive* takes up 45 pages. These 45 typed pages do not reflect the length of the interrogation. Questions were put in English and translated into Russian. Her answers were then translated, sometimes interpreted, from Russian into English.

Toward the end, Marina, just bereaved, torn by emotional turmoil and the recognition of her frightening position, screwed up enough courage to complain of fatigue. The transcript at this point reads:

"Agent. We are coming to the end. We will finish in a few minutes."

A few more questions were asked and answered and the session, which I regard as a subhuman imposition on the distraught and bewildered Marina, had apparently ended. At this point in the transcript, attributed to no one, these words appear:

Due to further information having been phoned from Washington to Inspector Kelley, we have a few *more questions* to be asked Mrs. Oswald. We will continue.

The questions then asked of Marina after her complaint, after this long abuse of her fresh widowhood, were: Did she know of a Leonard Reisman at Tulane University, the Committee for Peaceful Alternatives, or a "Mr. Farry"? She did not.

My correspondent pointed out that there is no "Farry" listed in any of the indices of the Commission materials, "and almost certainly they were referring to Mr. (David W.) Ferrie . . . who was not called as a witness although his implication in the affair was obviously known to the Warren Commission . . . (Ferrie) was arrested in New Orleans on November 25, 1963 and held as a suspect as Oswald's accomplice . . ."

This tape recording was transcribed by those unfamiliar with the names and in great haste. There are other errors where the typed word is guessed at from the sound. For example, attached to the transcript in the Commission's files is a memorandum of December 1, 1963. In it Inspector Kelley informs Special Agent in charge of the White House detail Robert Inman Bouck of several mistakes: Paine was misspelled "Payne" and coworker appeared "coal worker." It is likely that Farry was "Ferrie."

So my correspondent was perplexed. He wrote,

The question which is in my mind is: how did anyone in Washington know about Ferrie as soon as the 24th since Ferrie was not arrested until the 25th?

At first he insisted I had made a mistake. Not until I read him the exact transcript and the pertinent Secret Service reports in subsequent telephone conversations did I convince him that I had made no error.

Then he told me he was working as an investigator for the New Orleans District Attorney, Jim Garrison, who was investigating my own story of "The False Oswald" told in separate chapters of my two books, as it relates to what happened in New Orleans. District Attorney, Garrison was conducting his investigation in secret and without help from the various police agencies.

Thereafter I helped him in whatever ways I could. I made all of my own investigation available to him, took him to the source of official information, showed him how it was arranged and how to use it.

We were both surprised when it was publicly revealed the afternoon of Friday, February 18, 1967; that the New Orleans investigation was in progress. I was driving to another appointment in suburban Washington in the midst of a snowstorm when I heard it on a radio newscast. The owner of a furniture store where I could park allowed me to use his phone, but I did not reach this private investigator. When finally I could, he had learned only that the District Attorney had had nothing to do with this premature release. The investigator concluded, as I did, that the release, whether or not so designed, would seriously interfere with the investigation. Since then District Attorney Garrison has confirmed this.

To the degree permitted by the snow parking regulations, the generosity of the furniture store owner and the tolerance of those with whom my wife and I dined that evening, I phoned all of the newspaper reporters and radio and television stations whose kindnesses had been helpful in bringing the dissident opinion on the Warren Report to the public attention to "background" them on what I knew. In

each case I insisted all mention of Ferrie's name had to be off the record, specifying this was not only his legal right that must be upheld and respected but the minimum requirement of a successful investigation; otherwise I said District Attorney Garrison would wind up with no witnesses. My apprehension about Ferrie was so strong by Monday, February 20, that I had Xeroxed copies made of all the testimony and printed exhibit pertinent to him so that I could answer questions by telephone without having to fumble with all of the Commission's heavy and awkward volumes.

When Ferrie's death became public knowledge, I was broadcasting by telephone to the Phil Donahue program on the CBS station in Dayton, Ohio, WHIO. Phil read the bulletin on the air. Before I furnished what little comment I thought appropriate, my telephone was already ringing with those reporters who recalled my misgivings and concern.

Thus, in three days, I am connected with this investigation: My published work contains a great deal of the story, my unpublished discoveries carry this forward, and I was able to direct the investigation where it could locate more of the suppressed and ignored data collected by the government but not used in its official Report.

To date, I have had no contact with the District Attorney himself and I do not seek any. I have not asked what he knows, and I do not believe that what is not publicly available should be used prior to any trial that may result from his work. Nothing of what follows is not available to any qualified researcher or investigator. I just happen to be the one who did the work and who obtained these hitherto unpublished documents.

It had been my plan to print these once-secret and entirely spurned documents in *Whitewash III: The Archive*. That book is already delayed by my continuing and I believe fruitful inquiries into other aspects of the assassination and its official Report. I am happy to abandon this facet to the New Orleans District Attorney with the sincere hope that he develops a case he can take to court. What is urgently needed is an open court proceeding, where for the first time two sides can be presented, where our society can begin to function again, and above all, where traditional safeguards of the law will apply.

I believe too that it is important for people to know how the federal police operate and how, in particular, they did when their President was murdered. I am here bringing these documents, most of which had been intended for inclusion in *Whitewash III* to public attention.

The speed with which I seek to bring to public attention what now may properly be said and revealed of what is involved in the New Orleans investigation should lead to no misunderstanding of my conviction. This is but a part of what must still be done to disclose the entire truth of that awful day in our history and those shameful ones that have followed. A President has been killed and consigned to history, as I have said elsewhere, with the dubious epitaph of a fraudulent inquest. The entire truth must be told, and it must be told publicly and by the government.

What has come to be called "the crisis of credibility" in its broad sense is really the integrity of government and the reason citizens have to believe or disbelieve its word. Our government has conducted a vast investigation, issued an enormous Report and seeks demands -- that it be believed. The size of the investigation is no measure of its integrity, nor is it a sign of either pertinence or thoroughness.

An overwhelming percentage of the Report is devoted to a biography of Oswald that is not dependable, not nonpartisan and not pertinent if, as I believe the Commission's best evidence proves, he was not an assassin.

Hence, I welcome the first public statement by any public official of whatever stature, made by New Orleans District Attorney Jim Garrison on Washington's Birthday 1967, in which he as a lawyer and especially a prosecuting lawyer concurs in my previously solitary conclusion that Oswald killed no one in Dallas on November 22, 1963.

A further large part of the investigation and the Report is devoted to an exposition of an impossibility, that there was but a single assassin, Oswald. The Commission's best evidence, entirely misrepresented, is that under the conditions of this assassination and with the alleged assassination weapon, no single man in the world could have committed it.

Thus it can be seen that size is no substitute for relevance or truth. If the FBI alone conducted investigations that yielded more than 15,000 reports and these investigations and reports avoid what must be inquired into, their number means nothing and is but a measure of the willingness of the government to go to great trouble and expense to avoid what it should not avoid and what we cannot permit it to avoid.

If the government collected hundreds of pictures, which is the case, while refusing to get and study other hundreds more, which is also the case, then the photographic evidence is both inadequate and incomplete. I shall in *Whitewash III* name the photographers whose pictures are not in the government's files and who were not among its witnesses.

If the government called and heard many witnesses to a single point and these witnesses were honestly wrong or perjurers, the number of these witnesses is but a monument to deceit. As Shakespeare said in *All's Well That Ends Well*, Act IV:

'Tis not the many oaths that make the truth, But the plain single vow that is vowed true.

And if, when a President is assassinated, there remains after the official investigation a single unanswered question within the capacity of man to answer -- or worse, an unasked question -- neither the President nor the institution is safe.

With this assassination there were more unanswered questions at the end of the investigation than existed when it began. Among these is the question of the involvement of Cuban refugees, in New Orleans, Dallas, Miami and elsewhere.

So the local investigation in New Orleans, involving a presumed violation of local law, can be regarded as but a part of what we must yet do and expect to do and face before we recapture the national honor and the respect of the rest of the world. It is important, if it is only a beginning. But it is and can be no more than a beginning.

Were any of this book to be printed in invisible ink, when the heat of exposure strikes it, the initials "CIA" would appear.

Everything Oswald did in New Orleans in 1963 is consistent only with the establishment of what in the spy trade is called a "cover." For whom and why he did these things may be a question. That he did them is not. Those strange acts of his, such as guaranteeing he would be caught by the right-wing Cubans with whom he had an open link while distributing pro-Castro literature of his own manufacture, cannot be dismissed as insanity; nor can his careful exploitation of this incident to get an extensive press, armed with which he went to Mexico and sought admission to Cuba as a "friend" of Castro. It is not accidental that apologists for the government persist in retailing the falsehood that he represented the "Fair Play for Cuba Committee." His "Fair Play" committee had but one member -- Lee Harvey Oswald. He represented no one but himself and principals not yet positively identified. The government knows this is true, knows that he paid for the printing of his handbills, who did the printing and where and for how much.

Carefully expunged from the Report and possibly kept from the knowledge of the members of the Commission is the fact that among those other Americans who played roles in this bizarre story were some engaged in training Cubans, within the United States, for an invasion of Cuba.. It is no secret that this function was that of the CIA. These men continued for months in illegal activities that were unimpeded. They persisted in illegalities that were counter to declared national policy. Such things are neither done nor tolerated by accident.

Violation of national policy and law are not exceptional in the history of the CIA as it seeks to wield its share of the great power of our newly so powerful country that has not, as did other great powers before it, slowly grown into the use of power.

Consistent with this is the obfuscation of the still existing question of the nature of Oswald's relationship with the government. It is not enough for the Commission to claim it could not prove a negative. It really sought to prove nothing, only to brush this question aside.

Congressman Gerald Ford, a member of the Commission, put his name to a book on its work entitled *Portrait of the Assassin*. For this, like others who write in support of the account of the government and unlike those who write in opposition to it, he was not labeled a "literary scavenger."

His opening chapter is called "The Commission Gets Its First Shock." The first paragraph reads:

No sooner had the Commission investigating President Kennedy's assassination assembled its staff and tentatively outlined methods of operation than it was plunged into an astounding problem. On Wednesday, January 22, the members of the Commission were hurriedly called into emergency session by the chairman. Mr. J. Lee Rankin, newly appointed general Counsel for the Commission, had received a telephone call from Texas. The caller was Mr. Waggoner Carr, the Attorney General of Texas. The information was that the FBI had an "undercover agent; and that that agent was none other than Lee Harvey Oswald, the alleged assassin of President Kennedy!

Several pages later he quotes Commission General Counsel (read "boss") J. Lee Rankin, former Solicitor General of the United States, as telling the members of the Commission:

"We do have a dirty rumor that is very bad for the Commission, the problem and it is very damaging to the agencies that are involved in it and it must be wiped out insofar as it is possible to do so by this Commission."

In answer to this still unanswered question the Commission accepted the denials of the heads of the various government investigative agencies.

Among those members of the Fort Worth-Dallas Russian community who sought to help Marina Oswald is Mrs. Anna Meller. When she saw Communist literature in the Oswald home, she told her husband who in turn called the FBI.

Mrs. Meller was a witness before the Commission in Dallas. Five-sixths of the hearings were what amounted to back-room proceedings, without Commissioners and with only a Commission lawyer and stenographer and the witness present. In this case there was an exception, revealed in the effusive greeting by Assistant Counsel Wesley J. Liebeler. At 9 a.m. the morning of March 25, 1964, in the office of the United States Attorney, Room 301 Post Office Building, Bryan and Ervay Streets, in Dallas,

Liebeler exclaimed, "Come in, Mr. and Mrs. Meller, and sit down" (8H379). Thus we know that George Meller accompanied his wife and was present in the hearing room.

Not a single question was asked of George Meller. He is not listed as a Commission witness (R492). Nor was the single most pertinent question asked of Mrs. Meller, although Liebeler led her right up to it on a number of occasions.

Liebeler knew or should have known the answer to the question he should have asked, "What did the FBI say?"

Of course, the FBI could have said, "That's none of our business." They also could have said that with Oswald's defection from his defection and his unimpaired United States citizenship, what he did was not their concern.

They did not, and Liebeler knew they did not or he did not do his job and was not competent to do it.

Five weeks before this hearing a report was sent to Captain W. P. Gannaway head of the Special Service Bureau of the Dallas Police Department. It was signed by Detectives F. A. Hellinghausen and P. M. Parks. Under date of February 17, 1964, the detectives recount their interrogation of George Meller and his story of the call to the FBI Meller told them "he checked with the FBI and they told him that Oswald was all right."

Liebeler had to try very hard to miss this one. This report is stamped "indexed." But as he "missed" other important evidence and other important questions in other parts of the inquiry, so Liebeler did in this case also.

So we still have a "dirty rumor," more imperative than before because of its avoidance and very much in point in the story of "Oswald in New Orleans." And we have another sample of the questions left by the Commission and of the nature of its investigation.

There are other things that relate to this chapter of the assassination story that are suppressed in the Report. Marina told the Secret Service that she and her late husband believed the FBI got him fired from every job as soon as they found out where he was employed. For this reason she at first refused to be interviewed by the FBI, as is shown by the transcript quoted above and a number of other documents to be printed in *Whitewash III*. Whether or not this Oswald opinion is valid, it coincides with fact. Each time the FBI revealed an interest in Oswald, he lost whatever job he then had.

One of the obvious effects of this regular unemployment was to make him dependent upon other sources of income that might be available to him. As an informant or other contact of a government agency or of the only too numerous groups financed, directed and controlled by the government, especially the CIA, he would have been compensated.

There is no question about Oswald's connection with Cuban refugee groups. There may be a question of the character of the connection, but not of the fact of it. And there is not now and never has been any question of the relationship between the CIA and these refugee groups. The Cubans are the mendicants, the creatures of the CIA. This, too, is amply documented elsewhere.

This is the introduction from which we go into the account of "Oswald in New Orleans." As with all my other work in this field, the source material is wherever possible, entirely official. It is the information of the Commission, from their printed evidence or files, or readily available to it.

And it is opposed to their conclusions.

Here also I would like to acknowledge the indebtedness all authors have to others, too often, as in this case, too numerous to mention. Most of all I would like to thank the hundreds of people entirely unknown to me who have taken so many collective hours to write and phone the encouragement without which this most disagreeable work a writer can undertake would have been more uncongenial. Without their expressed approval, those many wearisome hours would have been more wearying.

Harold Weisberg

It is important for a writer to know there are those who read and approve his work. In this case, these expressions mean more to me, for they bespeak the dedication of so many wonderful people to the beliefs and sanctity of our institutions.

Hyattstown, Maryland
April 18, 1967

Chapter 1.

THE CAPTAIN AND THE GENERAL AND THE CUBANS

Wesley J. Liebel, now professor of law at the University of California at Los Angeles and one of the two most active and most important of the assistant counsel on the Commission's staff, conducted a major part of this investigation for the Commission and left big holes in it. This is not surprising, from his record of incomplete and inconclusive interrogations, interrogations in which he failed to ask the obvious questions and failed to introduce the most obvious evidence.

The deposition of slightly more than four pages that he took from Frederick S. O'Sullivan in the Old Civil Courts Building at Royal and Conti Streets in New Orleans, for some inexplicable reason is indicated as having been taken on two days, April 7 and 8, 1964. Yet Liebel was a veritable whirlwind deposition taker in Dallas (Whitewash II, Part 3), eliciting more than twice this much testimony in but ten minutes.

O'Sullivan, then a New Orleans vice squad detective, had been Oswald's classmate in Beauregard Junior High School. They had been interested in the Civil Air Patrol together. Ferrie, the man arrested in New Orleans on November 25, 1963, as a suspect somehow involved in the assassination, had been the leader of each of the two New Orleans CAP wings.

In asking O'Sullivan about Ferrie (8H30), there was this exchange:

Mr. Liebel: Am I correct in understanding that there has been publicity here in the New Orleans area concerning a possible relationship between Oswald and Ferrie?

Mr. O'Sullivan: Yes, sir; I believe Captain Ferrie was arrested. I am sure he was arrested, and I believe it was in connection with this Oswald situation. He was booked at the first district station. I don't know just what he was charged with, I believe just 107 under investigation of whatever it was, I don't know.

There Liebel's and all official interest in the Ferrie arrest ceased.

Likewise, although O'Sullivan informed Liebeler that the records of the Civil Air Patrol for the period when Oswald may have been a member still existed (8H30) and gave the name of their custodian, Robert Boylston, Liebeler did not call Boylston as a witness. Nor did he obtain the files, available under subpoena if not voluntarily. Lt. Paul Dwyer, of the New Orleans police, who went with O'Sullivan to examine Ferrie's plane, also was not called as a witness. The Report says Oswald "was briefly a member of the Civil Air Patrol" (R679).

Liebeler is an especially important man in the story of "Oswald in New Orleans," for he took depositions from a large number of people who, directly and indirectly, play significant roles, including Mrs. Sylvia Odio, Dean Andrews, Orest and Ruperto Pena, Eoaristo Rodriguez, FBI Agents John Lester Quigley and James P. Hosty, Jr., William E. Wulf, Carlos Bringuier, Lt. Francis L. Martello, Dial Ryder, Charles W. Greener, Gertrude Hunter, Edith Whitworth, Marina Oswald, Warren Reynolds, and General Edwin A. Walker.

General Walker's testimony is not unrelated to the account of the involvement of refugee Cubans and their organizations in the assassination. Liebeler took the deposition from the radical-right leader whose campaign to indoctrinate U.S. soldiers in Germany with the propaganda of the radical right led to an international scandal and his resignation from the Army. Liebeler acted as though they were old buddies.

This one deposition took more time than all of Liebeler's interrogations of the photographic witnesses whose pictures were the Commission's most important tangible evidence of the assassination (*Whitewash 11* pp.128ff).

Yet Liebeler's interrogation of Walker is entirely superficial and almost jovial omitting those things concerned with the possibility of a right-wing conspiracy. Instead, Liebeler restricted himself largely to questions about whether Oswald had taken a potshot at Walker. The Commission, on the basis of no real evidence whatsoever, decided Oswald had, thus was violence-prone. Not even Walker believed it. Why this required 26 pages and more than three hours perhaps Liebeler can explain, for this is 12

times the time he devoted to James W. Altgens, who took the most important single picture of the assassination.

Whereas the Commission did not allow Mrs. Arnold Rowland to correct the transcript of her testimony to make it accurate (*Whitewash 11 "Eyes So Blind"*), Liebeler opened Walker's testimony with the statement that Walker and his attorney "will be given an opportunity to make whatever changes in the testimony may be necessary, so that the transcript reflects accurately what happened here today" (11H404). But earlier that same morning, 14 pages ahead in the printed volume, when Mrs. Ruth Paine pointed out an error in the page proofs of her earlier testimony (3H45), Liebeler promised, "I will correct the page proofs" (11H390), but he didn't.

While *all* the typed transcripts were still "TOP SECRET" three years after the assassination, Liebeler promised that "a copy of the transcript will be made available to General Walker" through the stenographer. It therefore is less than surprising that Liebeler offered this description of his allegedly vigorous, searching examination of the right-wing extremist general, " . . . this is almost a friendly, if I may say so session . . ." (11H415).

It was so friendly that Liebeler himself testified to other incorrect things, consistent with the general's politics, as with Oswald's membership in the "Fair Play for Cuba Committee." Oswald's was, in fact, an unaffiliated and entirely phony one-man, self-designated non-organization. Oswald's selection of the name of the national group seems to have been designed for no good purpose but for purposes consistent with the establishment of what in intelligence is known as a "cover," a fact that, from the record, entirely escaped the Commission and its assistant counsel.

In what amounts to a reversal of functions, Liebeler offered this "testimony":

"The fact that Oswald may have been a member of this organization which he was, of course, is a fact that can be viewed from many different ways." (11H420)

It was so friendly that Liebeler never mentioned or asked about one name above all that; from the evidence, he should have asked with the most persistent and penetrating questions of which he, as a professor of law, should have been capable. Not once did Liebeler mention the names, Colonel Caster, Colonel Castor, or Colonel Castorr. Oswald was known to have had connections with Cuban refugee groups. The FBI and Secret Service knew of the interest in these groups, described as political, of a Colonel Caster or Castor, whose full name and address they never sought from even the phone book and of whose activities the available record indicates a studious official avoidance. The existence of no colonel named Caster or Castor in Dallas at that time is revealed by the telephone book, as is also the existence of a Colonel L. Robert Castorr who is known to have been a friend of the general's and to whom we shall return.

As he did in other cases, such as where the Commission's files contained documentary evidence that Oswald was "all right" to the FBI *before* the assassination, Liebeler edged up to the point several times without touching on it. For example (11H425):

Mr. Liebeler: Do you recall speaking -- pardon me, not speaking, but going to any meetings of anti-Castro Cuban groups during the month of October 1963?

General Walker: During what month?

Mr. Liebeler: October.

General Walker: I don't remember a date of attendance (sic).

Then Walker acknowledged that he had attended a meeting of what apparently was the "DRE," or the "Student Revolutionary Council." Liebeler asked. "They came from Miami?" and Walker replied, "I believe they came from Miami."

Liebeler's only interest was in whether Walker met Oswald there; the general said he had not.

This group -- only one of the many Cuban refugee groups, and Liebeler asked not a single question about any other, including similarly named ones -- is, as we shall see, that of a former Oswald New Orleans contact, Carlos Bringuier. It is Bringuier who fought with him in August 1963 and gave

Oswald the public image and newspaper clippings he used in Mexico City in an unsuccessful effort to pose as a friend of Castro and gain entrance into Cuba.

Aside from the numerous other groups and the possible, if not probable, connection Walker had with them, including by political interest and through the unidentified colonel, there is other remarkable concord between this too limited questioning by Liebelier and the Commission's knowledge, both its public record and its files. The characters in the story of "The False Oswald" were in Dallas *at that time* and *they were from Miami* near where they were engaged in training Cubans for an invasion of Cuba, save for one, who was a trainee. In this Liebelier had no interest, here or elsewhere in his relatively lengthy questioning of the radical-right general!

He did not even ask if Walker had any relations of any kind, directly or indirectly, with these Cuban groups with which the Commission's own evidence showed the general did have connections.

Liebelier had no interest in the strong suggestion made by the general of Cuban involvement in the shooting of Warren Reynolds, one of the very few witnesses to the murder of Officer J. D. Tippit who did not immediately identify the man leaving the scene of the crime as Oswald. Walker volunteered of the Reynolds shooting that "a Latin type was seen running away" (11H418).

What *can* be said for Liebelier is that he inconsistent. With the witnesses he should have asked about the Dallas police document that quoted the *FBI* as saying of Oswald *before* the assassination that he was "all right." In his hearing room, Liebelier ignored that fact and the document. With Walker in front of him, Liebelier asked him not a single question -- in all three hours of largely pointless "friendly" questioning -- about his own relations with the Cuban groups so obviously involved in the assassination, either direct relations or through others, like his friend the Colonel or members of his own staff, whose composition Liebelier also failed to ask.

Not unrelated is the testimony of Warren Reynolds, the used car salesman who was shot through the head after he had not identified Oswald as the killer of Officer Tippit. Reynolds is one of a number of witnesses to the departure -- it can hardly be called "flight" -- of the man who killed the policeman.

strange things have befallen others, as set forth in Penn Jones's book *Forgive My Grief*.

These excerpts from Reynolds's testimony bear on his relationship with General Walker, on the fact of physical violence against an eyewitness who was *not* in accord with the official account, a subtlety that from the record seems to have escaped Liebler, and the description of Reynolds's assailant:

Mr. Liebler: Have you considered, when you thought about this problem, that there are other people that actually went down to the police station and viewed Oswald in line-ups and have testified in Washington before this Commission, and received international publicity in connection with the identification of Oswald as the murderer of Tippett and that so far at any rate, they have not been attacked in any way such as you were?

Mr. Reynolds: Yes, I have.

Mr. Liebler: Can you suggest to me why you were picked out to be shot for the reason and not these other people?

Mr. Reynolds: The ones that I know, I am the only aggressor in the whole bunch. I am the only one that actually did something more than just look. I actually did something.

Mr. Liebler: But that is the only distinction you can see between yourself and those other people?

Mr. Reynolds: That's right.

Mr. Liebler: Have you discussed this question of the possible relationship between your shooting and the assassination, with General Walker?

Mr. Reynolds: Yes, I have.

Mr. Liebler: What did you say to him and what did he say to you about the matter, if you remember,

Mr. Reynolds: Oh, I said to him basically the same thing that I have said to you, and he said it could be and he thinks that it's strange that I was shot. I think anybody would think it strange. But of course, if you have ever talked to him, he wouldn't say yes or no.

Mr. Liebler: Does General Walker know of any facts, so far as you know, that would relate your shooting to the assassination?

Mr. Reynolds: No.

Mr. Liebler: He has never expressed a firm opinion to you one way or the other as to whether there was in fact, any connection between the two, has he?

Mr. Reynolds: Let me just let him answer that when he talks to you.

Mr. Liebler: Did you know that he is going to talk to us?

Mr. Reynolds: Yes, I do.

Mr. Liebler: How do you know that?

Mr. Reynolds: I talked to him.

Mr. Liebler: Talked to him since we have invited him to come over and talk to us?

Mr. Reynolds: Yes.

Mr. Liebler: When is the last time you talked to General Walker?

Mr. Reynolds: Around noon today.

Mr. Liebler: Talked to him on the telephone? Or in person?

Mr. Reynolds: Telephone; yes.

Mr. Liebler: Did you discuss with him your appearance before the Commission here?

Mr. Reynolds: Yes.

Mr. Liebler: Would you tell us the general subject of your conversation?

Mr. Reynolds: I Just don't want to answer that, really.

Mr. Liebeler: Preceding your conversation at noon today, when was the last time you talked to him before that, do you remember, approximately?

Mr. Reynolds: About a week ago. Maybe 2 weeks.

Mr. Liebeler: How many times have you talked to him about this question altogether?

Mr. Reynolds: I have no idea five or six.

Mr. Liebeler: Now, in fact, General Walker sent a telegram to the Commission suggesting that we take your testimony, did he not?

Mr. Liebeler: You knew that he did? Did he tell you that?

Mr. Reynolds: Yes. May I go off the record?

Mr. Liebeler: Sure. (11H440-1)

Mr. Reynolds: I would like to say something that might be important. About 3 weeks after I got out of the hospital, which would be around the 20th of February, my little 10-year-old daughter -- somebody tried to pick her up, tried to get her in a car. Now, again, whether that has any connection or not, I don't know, but it did happen, and it never had happened before nor after. But they even offered her money. She was smart enough to run and get away (11H441-2)

Mr. Liebeler: When did you see the man run off?

Mr. Reynolds: When I ran upstairs and ran around to the right to get this towel, and he came up out of the basement I saw him and two more people saw him.

Mr. Liebeler: You then got the towel. Did you call the police?

Mr. Reynolds: I was able to call the police. Then I laid down just for a few minutes and the ambulance got there and carried me to the hospital, and by some miracle, I survived, very much a miracle. The police got the call at 9:19 p.m. in the evening of January 23.

Mr. Liebeler: Now were you able to identify the individual who ran out of the basement?

Mr. Reynolds: No.

Mr. Liebeler: Do you have any idea who it was?

Mr. Reynolds: No.

Mr. Liebeler: What kind of fellow did he look like? Did you get a physical description of him?

Mr. Reynolds: No; it was just a blur to me. It was just a blur; but the people that saw him said he was around 5 foot 4, weight around 130 or 140 pounds, and was either Spanish or Cuban or Indian or something like that; not Negro.

Mr. Liebeler: He was not a Negro, but he was of a foreign extraction or foreign appearing, or dark colored?

Mr. Reynolds: Yes, dark colored, the way they described him. (11H437-8)

Reynolds described a Latin. He specifically said Cuban. Liebeler changed this to omit any reference to Latin or Cuban identification, substituting what is much less specific, "of foreign extraction or foreign appearing." What purpose this served consistent with an honest and thorough investigation he alone can explain. But this is only part of what Wesley Liebeler should explain.

Explanations are not forthcoming from him. Instead, we get charges, often slanders, against those

who dare say the government has presented less than the truth about the assassination of President Kennedy. He usually commands a good press and generous attention. Most recently he has become the fox hired to guard the chicken house. He has actually bamboozled the University of California into sponsoring his "investigation" of the Warren Report, for he now says it is time for "both sides" to be heard, as though this is not what the taxpayers hired him and the rest of the staff to do, as though this is not what was expected of and promised in the Report.

Liebeler is happiest when he has no opposition. What he did as a member of the Commission staff he did and was able to do only because there was no opposing counsel and no press present to report the shortcomings of his performance. While he proclaims his own impartiality, something not substantiated by his own record, and has the taxpayers of California subsidizing his own self-justification (an "educational frill" Governor Ronald Reagan has not deemed necessary to make part of his "economy" campaign) with students he will be grading "investigating" him, he has a remarkable unwillingness to debate me on his performance or the record of the Commission of whose work he represents such an important part. He has been silent in answer to the exposure of his record in my earlier books on this subject, so silent, in fact, he has yet to pay his bill -- after nine months.

He has received a number of invitations from the electronic media to confront me and always manages not to accept or to seem to accept without ever showing up. There were four such invitations in two weeks in December 1966. It became so ridiculous that when I reached his home town of Los Angeles, where I expected to find him opposing me in a TV studio for a Sunday afternoon taping, he suddenly found the great need, from what was announced, to be working in the National Archives in Washington on that day, a day on which the Archives Building is closed. When there is possibility of radio or television confrontation, Liebeler usually has the width of the continent between us.

So Liebeler has never been asked questions about his handling of the evidence relating to the involvement of . the Cubans in the assassination.

Liebeler first attracted my attention during my initial researches in the Commission's evidence.

He was one of the most active members of the staff. While he is not generally credited with it, I believe he also managed to be the lawyer who conducted the key interrogations.

In terms of the Commission's erroneous doctrine, that Lee Harvey Oswald was the lone and unassisted assassin, Liebeler's importance is less than this. But in terms of who made the whitewash possible and who interrogated most of the witnesses from whom evidence could have come leading to a solution of the crime, I believe no one is more important than the vocal professor of law at the University of California at Los Angeles.

Usually Arlen Specter, now District Attorney of Philadelphia, is credited with being the most important member of the Commission's legal staff. Specter's work was in the pivotal areas of the autopsy and medical evidence and the reconstruction of the crime.

On a number of occasions I was asked to confront Arlen Specter. There were three radio and two television invitations from his own city, Philadelphia, and two that I recall from the Educational TV network or its eastern affiliate. In each case I accepted and in each case explained that, while I was aware of the beneficial influence of such exposure on the sale of *Whitewash*, I also wanted the media representative to know that I believed Specter should not be singled out from the staff, as the chairman should not from the members of the Commission, to be held responsible for the deficiencies of all. I said others were as much responsible. Above all of the staff, I had Wesley Liebeler in mind.

As Liebeler later accepted none of the invitations, so Specter then declined them. As Liebeler has been anxious to have radio and television programs to himself, where he does not have to face one intimately aware of the details of the Commission's work and Report, and to be interviewed alone by the press, so also has Specter, whose private press has run up to 15 overly friendly and entirely uncritical pages of *U.S. News and World Report* dignified with a fiction for a large cover headline: "Truth About Kennedy Assassination."

The two of them, in my opinion, Liebeler and Specter, each a workhorse, are the most important members of the staff. Each, then, was the most likely to be singled out for criticism when, as was

inevitable, the false Report started to fall apart.

Liebeler was either less scrupulous or more alert, for he early took the initiative in pinning the rap on Specter. For this purpose he used Edward J. Epstein, who wrote a slight book that, despite contrary puffery, does not dispute the basic conclusions of the Report. Liebeler became Epstein's prime source of information. Epstein almost entirely ignored the Commission's evidence, of which he has scant knowledge, and instead wrote a book based on interviews. Liebeler opened his files to Epstein, including classified material. Although one might wonder what Liebeler was doing with classified government files in his possession, no one else has questioned it.

There is no doubt of the result. In Epstein's book Liebeler is the legal boy with the finger in the dike; the major villains are Chairman Earl Warren, Arlen Specter and General Counsel J. Lee Rankin.

Thus, major attention has been diverted from Liebeler's own record.

But the more I got into the testimony, the more I realized that it is Liebeler who, more than any other, failed to ask the next obvious question of witnesses, Liebeler more than any other who failed to do what the requirement of the law and the less exacting, demands of special commission did require. With General Walker, who had his own Cuban connections, Liebeler's interrogation of the right-wing general became "friendliest" when he briefly skirted on the Cuban issue:

Mr. Liebeler: Do you recall speaking -- pardon me, not speaking, but going to any meetings of anti-Castro Cuban groups during the month of October 1963?

General Walker: During what month?

Mr. Liebeler: October.

General Walker: I don't remember a date of attendance.

Mr. Liebeler: Isn't it a fact that there were some meetings here in Dallas sponsored by an organization known as DRE, which is a revolutionary group that is opposed to Fidel Castro? Do you remember that?

General Walker: What does DRE stand for?

Mr. Liebeler: It is the initials of a lot of Spanish words which stands for the Student Revolutionary Council. It is an anti Castro organization.

General Walker: What does DRE stand for? How would they have advertised themselves?

Mr. Liebeler: I think it is probably DRE.

General Walker: Meaning what?

Mr. Liebeler: It is Spanish words I am not familiar with.

General Walker: Well, there is a student directorate group, which I remember they call themselves, and that is the way they identified themselves. I attended a meeting sometime and listened to some speakers.

Mr. Liebeler: They came from Miami?

General Walker: I believe they came from Miami.

Mr. Liebeler: And you contributed \$s to the organization that night?

General Walker: I believe I did.

Mr. Liebeler: Did you see Lee Harvey Oswald at that meeting?

General Walker: No, I did not. (11H425)

Here Liebeler discloses knowledge of more than he asks about; his questions are, rather, answers. He knew all about it, although there is no printed evidence I have seen to so reveal. And if Walker did not see Oswald at the meeting, did nothing else happen? Who were the speakers ? Liebeler did not care and did not ask.

Nor was Liebeler, the college professor, unwilling to show a common touch. His reply to Walker's inquiry, "What does DRE stand for?" reveals this.

Note also Liebeler's indifference about the identity of the men who "came from Miami." This is exactly where those men who figure in the story of The False Oswald came from, and they were in Dallas at about that time. Liebeler saw to it that the exact date is not in the record. "During the month of October is all he says, yet he knew enough about this meeting to tell the general the size of his contribution. The Commission's files reveal more, as I have every reason to presume those of the New Orleans District Attorney now do.

The Commission's record shows less about this meeting than it might have, certainly much less than it should have, especially with the connections of the mysterious Colonel Caster -- Castor -- Castorr, Walker's friend and associate who was keeping the right-wing Cubans in Dallas stirred up. The secret documents reveal less than they should of this meeting. In so doing, they also disclose that what is missing in the secret files is who the speakers were and who attended the meetings. Liebeler reveals the Commission knew. He knew how much Walker had contributed. The reports I have, both written the same day, December 19, 1963, by FBI Agent Hosty, the "Oswald" expert, disclose that a list of those

present was prepared and who has it. That list is not attached. How and under what conditions this choice meeting room was made available, especially by whom, might also be interesting. The reports do not show this or any desire to learn this or any of the other obvious things that should have been inquired into.

These reports are from File 205, pages 646 and 647. The first reads:

EDWIN L. STEIG, 713 Winifred Street, Garland, Texas, advised he attended a meeting of the Student Directorate of Cuba held on a Sunday evening at 8:00 p.m. some time during the month of October, 1963. There were about 75 persons present at the meeting which was held at the First Federal Savings and Loan Association Conference Room in the North Lake Shopping Village in Dallas, Texas. Mr. STEIG stated that he sat in the back of the room and listened to several speakers who talked about the situation in Cuba. STEIG stated that another individual sat in the back of this room who he believes is identical with LEE HARVEY OSWALD. This individual spoke to no one but merely listened and then left. Mr. STEIG stated that most of the persons present signed a guest roster which was taken by a Miss SARAH CASTILLO who held some position with the Student Directorate of Cuba.

The second reads:

Miss SARAH CASTILLO, 2177 Valley Ridge Drive, Dallas, Texas advised she at one time was secretary for the Student Directorate of Cuba and on Sunday, October 13, 1963 at 8:00 p.m. her organization held a meeting in the assembly room at the First Federal Savings and Loan Association building in North Lake Shopping Village, Dallas, Texas.

Miss CASTILLO stated among visitors present was former General EDWIN A. WALKER. Miss CASTILLO stated she does not recall LEE HARVEY OSWALD being present at this meeting but she did not observe all of the visitors. Miss CASTILLO stated that most of the persons present signed a guest roster which has been forwarded to Miss ANNA DIAZ-SILVEIRA who is with the Cuban Student Directorate, whose address is Post Office Box 613, Miami 45, Florida..

How many more strange "coincidences" can there be in this case? Can it be just coincidence when these men so integral to it, these Americans training Cubans in Florida for an invasion of Cuba, these men two of whom were arrested in Dallas October 17 and "sprung" without trial right before the

assassination, these men so long avoided by all the investigative agencies of government and not sought until after the Report was done, these men one of whom was likely The False Oswald and hence involved in the assassination, were the ones General Walker wanted to hear and whose names Wesley Liebler did not want to hear? He never asked their names, nor did he offer the names for the record, whether or not the general knew their names. If the government did not know -- and I believe it did -- it would have had no problem at all learning the names.

That these names are not in the record means simply that Liebler did not want them there. He can say why -- or that he is "sloppy," the new defense of the Commission's apologists and a fair paraphrase of some of Liebler's comment, relating to others.

Now if there is only a single member of the Commission staff who knew or should have known what "DRE" stands for, that single man is Wesley Liebler. Prior to this July 23 "interrogation" of General Walker, Liebler interrogated Carlos Bringuier, head of the DRE in New Orleans. This was two and a half months earlier. With the indefiniteness that characterizes so much of the identification of the testimony, Volume 10 gives the date as "April 7-8, 1964" (10H32). If it was both days, the testimony was edited to make it appear as though all the testimony was continuous. If it was one day, Liebler, at least, should have known, whether or not the stenographer or editor did.

When Bringuier was head of the DRE in New Orleans, what is true of the "Fair Play for Cuba Committee" of Oswald's manufacture was also true of it: It was a one-man outfit -- Bringuier. George Lardner, Jr., writing in the *Washington Post* of Thursday, February 23, 1967, revealed that:

On Monday, February 20, 1967, Ferrie met with Carlos Bringuier. And Bringuier, according to Lardner, "went on the speaking circuit."

The time of this tour is indicated in J. Edgar Hoover's May 26, 1964, letter to Commission General Counsel J. Lee Rankin (26H427), in which he reports, "Carlos Bringuier has been away from New Orleans on an extended speaking tour." This was after Bringuier's testimony.

An LP recording of what is billed as the "actual debate" between Bringuier and Oswald in New

Orleans on August 21, 1963, complete with a "dynamic documentary by Dr. Hargis," is sold by Key Records.

In passing, it is perhaps worth noting Bringuier's description of this fight (10H38):

Mr. Bringuier: . . . And I was more angry, and I went near Oswald to hit him . . . when he sensed my intentions, he put his arm down as an X, like this here . . . (demonstrating).

Mr. Liebler: He crossed his arms in front of him?

Mr. Bringuier: That is right, put his face (sic) and told me, "O.K. Carlos, if you want to hit me, if you want to hit me, hit me."

Perhaps the character of this "fight," which served as the basis for Oswald's actions consistent only with the establishment of a "cover," may help us understand another thing Oswald did that certainly proves he was not hiding his activities from the Cuban refugee groups, particularly not from Bringuier.

This comes out in other documents the Commission did publish and then ignored in the Report. They are printed sideways, two to the 6x9 page, making them frequently almost or entirely illegible to the naked eye for reduction is about four times. Also, some are reproductions of Xeroxed copies of indistinct carbon copies

From this "fight" in the 700 Block of Canal Street, in front of the Ward Discount House in which Bringuier had once worked, Oswald went to jail, under arrest. There he was searched. He had with him according to Secret Service Agent Anthony E. Gerrets (Exhibit 1414, 22H828ff), a "booklet, 'The Crime Against Cuba' . . . with a rubber stamp impression F P C C 644 Camp St., New Orleans.' . . ."

But there is no record of his ever having lived at or rented at that address. The contrary is true.

An earlier document (Exhibit 1413, 22H826) establishes this. On November 27, 1963, Sgt. Horace J. Austin, Jr., and Detective Robert M. Frey reported to Major P. J. Trosclair on their investigation of this. They had interviewed Sam Newman, owner of that building, who told them he had never rented space to Oswald or the "Fair Play for Cuba Committee."

Newman also disclosed that earlier he had rented an office to a Cuban group whose name he recalled as the Cuban Revolutionary Society," actually, the "Cuban Revolutionary Council." *Their* office

was on the second floor at 544 Camp Street!

There are other interesting tidbits about the Cuban Revolutionary Council in these reports. For example:

Newman is quoted as having said, "Guy Banister was well acquainted with this organization" (22H826).

"Mr. Manuel Gil . . . member of the 'CUBAN REVOLUTIONARY COUNCIL' ... employed as Production Manager by 'THE INFORMATION COUNCIL OF THE AMERICAS' . . . he makes tape recordings . . . which recordings are broadcast in Latin American countries . . . some of these recordings are used in Louisiana schools . . ."

The Information Council of the Americas, also known as "INCA," is the owner and distributor of the broadcasts Oswald made in New Orleans following his arrest when, as part of his establishment of a "cover," he engaged in allegedly pro-Castro debates. It is a propaganda outfit.

What these documents do not show and should, what perhaps explains all the gaps and omissions, the obvious things never seen, is the antecedents of the Cuban Revolutionary Council. It is so completely a creature of the CIA the CIA ordered its organization.

This is a matter of public record. It was never really a secret. Certainly it was no secret from the government that brought the CRC into existence.

Prior to the fiasco of the Bay of Pigs, the CIA was worried about the acrimonious disputes and disagreements between the major anti-Castro groups. Accordingly, on March 18, 1961, at the Skyways Motel in Miami, the CIA ordered an amalgamation between the two major groups, the Frente Revolucionario Democratico and the Movimiento Revolucionario del Pueblo. Six days later Tony Varona of the Frente and Manolo Ray of MRP signed the concord under which Jose Miro Cardona became head of the CRC.

From the first there was no pretense. The CRC was the CIA. Tracy Barnes of the CIA circulated the draft of the first CRC "manifesto" through higher echelons of the government. Arthur Schlesinger,

former Presidential assistant, found it "a document so overwrought in tone and sterile in thought that it made me wonder what sort of people we were planning to send back to Havana." In *A Thousand Days*, Schlesinger has lengthy passages on the CRC and its organization, domination and control by the United States Government (243 ff), including his own embarrassment after the Bay of Pigs when he and A. A. Berle (who was American Ambassador to Brazil and who figured in the overthrow of the Vargas government in Brazil) were sent to placate the CRC leaders, held as virtual CIA captives at the abandoned airbase at Opa-Locka, near Miami.

But for the moment the thing of greatest interest in these documents is that Oswald, when arrested on August 9, had pro-Castro literature on him that bore the identification of his own phony "Fair Play for Cuba Committee" with a return address that was not his and was that of the anti-Castro Cubans.

What does this all add up to -- all these things not in the Report of the President's Commission, the Report that former members and staff of the Commission during the fourth week of February 1967 were still hailing as exhaustive and complete? Commission Member Congressman Gerald Ford told United Press International that Garrison should "immediately" transmit everything he had to "officials in Washington" where, according to Ford, "It can be properly analyzed by proper authorities." Proper? Properly? The Commission of which Ford was a member was the "proper" authority. This is but some of what it suppressed. And if this is a sample of how the information would be "properly" evaluated, the country can forego another such evaluation.

Wesley J. Liebeler again was the most articulate member of the staff to speak. He first belittled what anyone else might know on the ground that the Commission's own investigation had exhausted the subject. He referred to the alleged size of the investigation and the thickness of the files (without mentioning the large percentage still suppressed) and then demanded that Garrison immediately make known everything he had, without regard for the requirements of the law, the rights of those accused of crimes or the interests of an honest prosecution. Simultaneously, he labeled Garrison irresponsible.

Chapter 2.

THE RAVELED THREADS

It is true, as government defenders allege, that the Commission conducted an "investigation" of some of the New Orleans events, including the involvement of David W. Ferrie. Again Wesley J. Liebeler took part. Another assistant counsel who helped was Albert W. Jenner, noted Illinois lawyer and former head of its bar association.

Each of these Commission lawyers interrogated young men who had been with Oswald in Beauregard Junior High School in New Orleans in about 1955, when they were teen-agers. Without in any way surprising the lawyers, they both testified about associations with David W. Ferrie.

I briefed news media people about this in confidence beginning the afternoon of Friday, February 18, because not to have placed reservation on it would have been to associate Ferrie's name in advance of a criminal prosecution with a crime with which he was not then charged and because the premature publicity launched that day could not but hurt the current investigation. In doing this I informed the news people of the source of the testimony. Also, I was apprehensive because of the many strange deaths in this case.

When the press began an assault on Garrison and a defense of the Commission and its Report, this testimony was widely quoted as proving that Oswald and Ferrie did not know each other in those days. That is not what the testimony says.

Two witnesses gave this testimony. One, Edward Voebel, had come forth immediately at the time of the assassination. The other, Frederick S. O'Sullivan, may have. I recall no such report. Voebel was questioned by Jenner in the Old Civil Courts Building, Royal and Conti Streets, New Orleans, on April 7, 1964 (8H1-16). O'Sullivan was questioned by Liebeler at the same place on "April 7-8," although there is no indication the deposition extended over two days from its published form.

Most of Jenner's interest was in building up a case against Oswald as a brawler and a kid with an inordinate interest in guns. At one point Jenner told Voebel, "I'm trying to get a picture of this boy as he became a man, and that includes what he was doing and thinking when he was 14 or 15 years old . . . "

When Voebel seemed reluctant to talk about what to him were such trivia as smoking and drinking, neither of which Oswald did, Jenner told him, "All right; those are the things I am interested in, what you think of Lee's habits and personality and so forth, from the time you knew him, and don't worry about whether it is important or not. That's my problem" (8H4).

This is consistent with the establishment of an ex parte prosecution case, possible in the absence of opposing counsel, but not with an impartial search for unprejudiced information, the presumed but far from the actual purpose of the Commission's work.

Voebel stood up to Jenner, saying, "Right. Now I want to make one thing clear. I liked Lee . . . He was the type of boy that I could like, and if he had not changed at all, I probably still would have the same feeling for Lee Oswald . . ."

He did tell Jenner that once Oswald planned to steal a pistol (8H9-10), which Jenner milked dry. He also testified that Oswald had less interest in guns than he had in a sequence possibly indicating the not unusual practice, that Jenner had rehearsed or questioned him in advance of the recording of the testimony:

Mr. Jenner: But you did have some measure of common interest that you told me about?

Mr. Voebel: I guess you are trying to get at the gun. Is that that what you have in mind?

Mr. Jenner: Well, I am not going to say what I'm trying to get at.

Mr. Voebel: Well, I know Lee seemed to have an interest in guns.

Mr. Jenner: And these were regular weapons, not toys?

Mr. Voebel: That's right, military weapons. My uncle started a collection while he was in the service, and he brought back a few foreign military weapons.

Mr. Jenner: was that World War II?

Mr. Voebel: World War II.

Mr. Jenner: Your uncle?

Mr. Voebel: That's right, my uncle.

Mr. Jenner: And you also would say that you had an interest in guns; is that right?

Mr. Voebel: Yes, I was interested in guns. In fact, we had guns round the house all the time. We were always interested in them, my uncle and I, and I learned to shoot a pistol when I was about, oh, 7 years old, you see.

Mr. Jenner: Did Lee share your enthusiasm for collecting weapons?

Mr. Voebel: Oh, no; I don't think even told Lee about how I felt about that . . . (8H7)

Not until next to the last page of the testimony did Jenner get the questioning to where Voebel might mention Ferrie's name. He had so little interest in this he did not bother to ask Voebel for Ferrie's first name. Voebel had been interested in the Civil Air Patrol, which had a cadet program. He interested Oswald, who earned money and saved to buy a uniform and joined (R679), but seems not to have remained in the CAP for long. Jenner asked, "Who was the majordomo of the CAP unit you attended?".

Voebel replied, "I think it was Captain Ferrie. I think he was there when Lee attended one of the meetings, but I'm not sure of that. Now that I think of it, I don't think Captain Ferrie was there at that time, but he might have been. That isn't too clear to me" (8H14) .

Here Jenner returned to questions about Oswald's history. "History?" Voebel asked, and Jenner said, "Yes; his background -- anything about his family before he met you?"

Not one question did Jenner ask to make more certain Voebel's testimony about whether or not Ferrie and Oswald had met, knew each other, were in the same unit or anything else that might be important. He did not ask a single question about Ferrie. He concluded (8H15) on a vile note, consistent only with an effort to develop poisonous opinion about Oswald or with something suppressed in the Report that is important in the story of Oswald in New Orleans. This, in turn, is consistent with the thrust of the entire Report.

Jenner asked if Oswald displayed any interest in girls. Voebel replied, "He wasn't very interested in girls."

"Did he have any sex deviation of any kind?" Jenner asked.

"None whatever," Voebel told him, then explained, "I think he was more bashful about girls than anything else."

Had Jenner the slightest interest in Ferrie, he could have learned that Ferrie had an arrest on morals charges. But he had so little interest in the man who later became an international sensation for the few days before his untimely death he also did not ask Voebel about the other Ferrie arrest record, that of November 26, 1963, in connection with the assassination.

Without the assistance of learned and eminent counsel, in a statement he gave New Orleans Police Sergeant Austin and Detective Frey at 11:45 A.M. Wednesday, November 27, 1963, a few days after the assassination and before association with Commission counsel and their pre-deposition questionings, he said, in the language of their report of that date to Major Trosclair (22H826-7), "Voebel stated that he believed Oswald attended a party (not sure) at the home of Dave Ferrie (Captain) right after the members of the C.A.P.C. received their stripes."

. . . Voebel also stated that Ferrie seemed like a "character," that he rode a motorcycle, and Voebel stated that he had heard that Ferrie was a brilliant man with many degrees. When asked if Ferrie had organized any flying group other than the C.A.P.C. Voebel stated that he did not know of any. When asked if he had ever heard of the Eagle Squadron Voebel stated that he had not. When asked if he, Voebel, had ever flown with Dave Ferrie, Voebel stated that he had not, but other boys had made local flights with him

Eagle Squadron? How exciting. But there is nothing on it in the testimony.

This is not unrelated to other data in the Commission's record that might or might not relate to Dave Ferrie. For example, the report of FBI Agents Eugene P. Pittman and John C. Oakes, dictated at the Los Angeles office on December 2, 1963, the day after their interview with Gene Barnes, NBC cameraman (24H453-4).

The third from the last paragraph reads:

BARNES said BOB MULHOLLAND, NCB (sic) News, Chicago, talked in Dallas to one FAIRY, a narcotics addict now out on bail on a sodomy charge in Dallas. FAIRY said that OSWALD had been under hypnosis from a man doing a mind-reading act at RUBY's "Carousel." FAIRY was said to be a private detective and the owner of an airplane who took young boys on flights "just for kicks."

Aside from the phonetic similarity in names, there is an astounding likeness in the descriptions of Ferrie and "Fairy."

While Jenner was content to let the record of Ferrie-Oswald acquaintance rest on ambiguity and to have tried to load it with defamation and prejudice against the man he was determined to "convict," as

was the Commission, Liebler went a little farther with O'Sullivan (8H27-31). He spent parts of the last two pages on the Civil Air Patrol and Ferrie and actually asked O'Sullivan, "Do you know David Ferrie, Fe-r-r-i-e?"

Liebeler also tried to show what was not true, that Oswald had an early abnormal interest in and experience with rifles. This sally did not live up to Liebler's expectations when O'Sullivan testified that all the CAP had available were 22's, little boys' guns, not military equipment, that he never knew Oswald to engage in practice with even the 22's and never otherwise observed him in rifle practice of any kind.

At the time of his testimony, O'Sullivan was one of the nine members of the New Orleans police vice squad. He answered some questions with rather more precision than most witnesses. Any interpretation of his testimony should consider this. When Liebler asked him, "Do you know of any connection between Oswald and David Ferrie?" O'Sullivan did not say he had no such knowledge. Instead, he responded, "I have no personal knowledge of anything" What O'Sullivan was saying was that he had no knowledge admissible in court.

But this was not a court. In every conceivable manner the right of the Commission to take, even solicit, "hearsay" evidence was abused, as long as it could be used against Oswald. Here Liebler should have asked O'Sullivan what he knew not of his own "personal knowledge." Possibly O'Sullivan knew nothing.

Liebeler telegraphed: "But you don't know of any time that Oswald associated with or knew Ferrie through the Civil Air Patrol?"

This is not a question; it is a statement. O'Sullivan's reply again was qualified. It was not an unreserved negative. "I am not sure of any," he said. Again, O'Sullivan may not have heard of or believed he knew of any, but Liebler did not ask. Note, too, that Liebler had been careful to restrict his question to "through the Civil Air Patrol."

Just before the end of the questioning Liebler asked, "Am I correct in understanding that there has been publicity here in the New Orleans area concerning a possible relationship between Oswald and Ferrie?"

To this O'Sullivan answered, "Yes, sir; I believe Captain Ferrie was arrested. I am sure he was arrested, and I believe it was in connection with this Oswald situation. He was booked at the first district station. I don't know just what he was charged with, I believe just 107, under investigation of whatever it was, I don't know."

That was the beginning and the end of any Liebler -- or Commission -- interest in the Ferrie arrest. It should not have been, need not have been -- and was by intent.

Another man who should have been called as a witness and was not is Lt. Paul Dwyer who, with O'Sullivan, examined a plane said to be Ferrie's at the New Orleans airport at the time of the assassination. O'Sullivan said they found it not airworthy. Thus we are left with the inference that it was not possible for Ferrie to have flown to Dallas at the time of the assassination.

This is not the only time a flight, in Ferrie's plane or another, with or without Oswald as a passenger, could and should have been of interest to the Commission. As Liebler well knew, there were a few hours between the time Marina Oswald left New Orleans with Ruth Paine for Irving, a Dallas suburb, and the time Oswald is presumed to have left for Mexico. Could, for example, Ferrie have flown Oswald in September, not November, to Dallas in time for it to have been the genuine Oswald rather than a false one who visited Mrs. Sylvia Odio's home and of whom it was said:

"You know, our idea is to introduce him into the underground in Cuba, because he is great, he is kind of nuts . . . He told us we don't have any guts, you Cubans, because President Kennedy should have been assassinated after the Bay of Pigs, and some Cuban should have done that . . . And he said, 'It is so easy to do it.' He has told us . . ."

(11H372-3).

To whom was this testimony given? To Wesley J. Liebler, by Mrs. Sylvia Odio.

This excerpting of testimony is from *Whitewash: The Report on the Warren Report* where it and the story of the Cuban involvement with The False Oswald were first brought to light. That it may have figured in the New Orleans investigation and accounted for an interest in Ferrie is indicated in several

news stories. The New York *Times* of February 21, 1967, printed this in a story from one of its 'Warren Report specialists,' Gene Roberts:

However, a source within Mr. Garrison's office named a "suspect" but asked that his name be withheld. This source also said one theory was that President Kennedy's assassination grew out of a plot by anti-Communist forces to kill Premier Fidel Castro of Cuba. According to this theory, the conspirators planned to send Lee Harvey Oswald to Cuba to kill Premier Castro, and later decided to attack President Kennedy when Oswald was denied entry into Cuba.

Garrison gave this opinion to reporters February 24: "There were several plots. A change of course did occur. Now that is more than I wanted to say." To this Lardner added, in his story printed in the *Washington Post* the next morning, "There have been indications that the conspiracy theory Garrison has built began not with a plot to kill the President but one to assassinate Cuban Premier Fidel Castro."

A similar account was distributed by the Associated Press for the morning papers of February 26:

District Attorney Jim Garrison said Friday his investigation of President John F. Kennedy's assassination indicates "there were several plots" involved . . . "There were several plots and a change of direction (in them) did occur", Garrison is known to have considered a theory that a group of anti-Castroites had plotted to kill Premier Castro at Cuba. This group then later changed its target to President Kennedy . . . The plot supposedly collapsed when Oswald . . . failed to enter Cuba . . . the target was switched.

And in a copyrighted story in the *Washington Sunday Star* of February 26, Pulitzer Prize Winner Haynes Johnson, whose book, *The Bay of Pigs*, was written with the help of Cuban refugee leaders, said under the subhead, "The Thread Is Cuba":

The thread that winds through the story involves one of the central problems of John F. Kennedy's two years, 10 months and two days in the White House -- the problem of Cuba.

It is Garrison's obvious contention that Cubans were somehow involved in the President's death. From what can be learned at this time his case appears to rest on one theory about the assassination:

That Oswald was working with an anti Castro right-wing organization and actually intended to kill Fidel; that Oswald's publicly pro-Communist activities in New

Orleans and his attempt to enter Mexico and secure a Cuban visa were to ruse to enable him to carry out that Castro assassination objective, that when Oswald was denied entrance to Cuba, the plot shifted, and Kennedy, accused of letting down the anti-Castro Cubans at the Bay of Pigs, became the target. This theory has been examined at length in the past and has been discarded.

If one were to meditate on this theory from a knowledge of the Commission's evidence, it seems unlikely that, if he would have accepted this mission, Oswald was fit for it. He did not speak Spanish and he was a lousy shot. He was anything but the "shotman" of whom Mrs. Odio testified. In the words of the Commandant of the Marine Corps, he was "a rather poor shot." This plot makes more sense if one considers as the potential Castro assassin Oswald's look alike, The False Oswald, the man whose conspicuously fine shooting and bad manners attracted so much attention at the Sports Drome Rifle Range right before the assassination. If he looked enough like Oswald to fool to many observers, he could have used the passport Oswald sought in Mexico.

But with the real or the false Oswald as the Castro assassin, Ferrie, flying his own or another plane, could have supplied transportation to Cuba.

If O'Sullivan's observations were correct, his testimony does not by any means cover the possibilities into which Liebeler should have inquired. And, of course, it is no substitute for investigation to listen to the volunteered opinions of a vice-squad detective who knew nothing of the other circumstances and events involved.

The thrust of this testimony, even though it is entirely ignored in the Report, is that Ferrie could not figure in the case at all because his plane was not, in the opinion of O'Sullivan, in condition to fly on November 22, 1963. This is not the only plane that could have been flown on that or another or other days that could have figured in the conspiracy, and Ferrie did, in fact, go to Texas that day.

The story that gained prevalence once the New Orleans investigation got into the papers and Ferrie's name was mentioned is an utterly improbable one, considering Oswald the only possible assassin and Ferrie's only role that of his get-away pilot. Oswald was not the assassin of President Kennedy, by the Commission's own best but misrepresented evidence. There is no reason to believe he ever considered

murdering the President. Thus, this could not have been Ferrie's role. District Attorney Garrison early made this clear and public, repeating almost word for word the earlier conclusion of *Whitewash: The Report on the Warren Report*. He said, "It is my personal opinion that Oswald did not kill anyone that day in Dallas."

The failure to call Ferrie as a witness is a major defect. Aside from the involvements already noted, Ferrie is known to have said President Kennedy should have been shot.

Cost and time were not problems. The Commission had passengers on the Mexico City bus with Oswald chased all over the world for their opinions. It caused the FBI to make the most elaborate examinations of Oswald's pubic hairs, as though this should have been of any concern to anyone but Marina. No. Time and costs cannot be considered the reason Ferrie was not called.

The FBI did not, as claimed, "look into" this. They were content with Ferrie's explanation of the thrust that it was a bad joke, that he really loved the late President.

Lardner, probably the last person to see Ferrie alive, concluded the story that appeared in the *Washington Post* on Saturday morning, February 25, with this paragraph:

Outspoken, with a background of arrests on homosexual charges and view on every issue from philosophy to politics, Ferrie had been both publicly and privately critical of President Kennedy for the lack of air cover in the Bay of Pigs invasion by Cuban exiles. He had been quoted as saying that the President "ought to be shot "

We have not yet finished picking up the raveled threads Liebel left in New Orleans. We have not yet finished with what he learned from Carlos Bringuier and did nothing about, quoted in *Whitewash: The Report on the Warren Report* and here to be explored are the then secret documents precluded.

Chapter 3 THE UNSECRET SECRET

As though hoping that, if it were ignored, it would, somehow, go away, the Commission did try to ignore the existence in 1963 of a training camp for the anti-Castro forces on the shores of Lake Pontchartrain, even though it had been in the news. Directly north of New Orleans, across the 32-mile causeway that connects it with the northern shore of Lake Pontchartrain, is Mandeville. To the east of Mandeville and slightly to the south, connected by U.S. Route 190, is Lacombe. It was in this area. (Although the official documents refer to but one camp, there is solid evidence that there was another, on what is known as "the lower coast," at Algiers, also the location of a government military installation. After the Bay of Pigs fiasco, I saw film of the second camp on T.V.) Revelation of the existence and the exposure of the camp did not get wide attention.

The New Orleans papers mentioned it, as they could hardly avoid doing, because on July 31 the FBI raided it. The Washington *Post* story of August 1 says:

Mandeville, La., July 31 (AP) -- FBI agents swooped down on a house in a resort section near here today and seized more than a ton of dynamite and 20 bomb casings.

An informed source said the explosives were part of a cache to be used in an attack on Cuba. But the FBI would only say that the materials were seized in connection with an investigation of an effort to carry out a military operation from the United States against a country with which the United States is at peace.

Although the United States severed diplomatic relations with the Fidel Castro government, the two nations technically are at peace.

The 20 empty 100 pound bombs, painted blue, were stored on a locked, screened-in porch of a single story dwelling house. The FBI declined to identify the owner of the house or to say if any arrests had been made.

The location of the camp was in St. Tammany Parish, between Mandeville and Lacombe.

On April 23, 1963, seven months before the assassination, Jack Anderson had a lengthy article in *Parade*, a weekly newspaper supplement. It was entitled, "An Untold Story: How Castro Double-Crossed the Gambling Syndicate." According to Anderson, the *Time-Picayune* description of Mike McLaney's position in Batista gambling circles is modest. And the losses were astronomical. Anderson's sources

estimate the investment loss of the Nacional, where McLaney's casino was, at \$7,000,000,000. The gamblers were separated from large sums of their money by the sale to them of pesos at cut rate. These are now worthless, except inside of Cuba, where the gamblers are not and are not likely to go.

Anderson also reported what he, without exaggeration, described as the "most bizarre experience" of all those "in this double-cross and triple-cross." He was referring to the "commandant who policed" the McLaney casino. That worthy traveled around in a Cadillac and with beautiful girls. He told McLaney at their first meeting, "You are going to pay." McLaney paid him off by letting him win at the gaming tables, where his appetite was "rapacious," only later to find out he was "a complete phony," not an official at all.

The gamblers expected a "shakedown." McLaney told Anderson he was hit for \$102,000.00 in "back wages."

It can be understood that the McLaneys did not love Castro. It can also be understood that the FBI perhaps had reasons for originally declining to identify the owner of the house where the munitions were stored. Later, when we go into their probable source, this reluctance may be more comprehensible. This was quite a camp, with quite a history.

The Associated Press returned to this raid in its March 4, 1967, coverage of the Garrison investigation, as did the *New Orleans States-Item*. Both said there had been 48 cases of dynamite as well as firing caps and napalm. Both described the cottage as "unoccupied." Both identified the owner as William Julius McLaney, of New Orleans. Both also said the McLaneys had lived in Cuba until 1960 when, according to Mrs. McLaney (her husband seems never to have been available to the press), Castro made things impossible for their "tourist business."

Mrs. McLaney was quoted as saying the house "had been loaned to a Cuban exile friend she knew only as 'Jose Juarez.'"

If Castro had then known what Jack Anderson was to write in his syndicated column of May 4, 1963, it is doubtful that he would have released McLaney and certain he would not have apologized. Anderson wrote:

The story that American adventurers tried to bomb a Havana oil refinery, though it caused a bigger blast in the newspapers than in Havana, gave oil men the nervous skitters.

It also brought to light an earlier incident, never reported in the public print, which occurred during the Cuban Bay of Pigs fiasco.

A freedom fighter plane, loaded with bombs, radioed that it was over the Esso refinery in Havana and asked permission to bomb it, along with the nearby Texaco and Shell refineries.

Destruction of the three big facilities would have paralyzed the Castro war machine within weeks. But the CIA command post ordered the plane to ignore the refineries and look for gun emplacements to bomb.

Later, Mike McLaney, an American gambler who ran a casino in Havana and stayed on for 18 months after Castro's takeover, sent the CIA a detailed plan for knocking out the three refineries. But instead of getting his plan approved, McLaney got an urgent phone call warning him not to attempt such a thing under any circumstances.

Establishment of such an installation as this camp once would have been considered an act of international unfriendliness, if not an act of war. Norms, of diplomacy and relations between countries have changed since World War II. Nonetheless, the existence of this military installation, where Cubans prepared for an invasion of Cuba that was plotted on U.S. territory, violated American law and was counter to declared national policy at least since the end of October 1962.

There is little doubt that only the CIA could get away with both this violation of law and this opposition to national policy. There can be little doubt that those Americans engaged in the training of Cubans in Florida for the coming invasion of Cuba were doing so for the CIA. The CIA is and has been a law unto itself, making policy on its undemocratic own. It had been the "invisible government."

So those who read the brave statement of the Commission that it called the shots as it saw them about U.S. investigative and intelligence agencies in the context of the vast effort the Commission made to shelter these agencies will not be surprised at what follows. Others, I hoped, will be shocked.

Chapter 4

CREATURES OF THE CIA

"NO T-1" is an employee of the federal government. There is reason to believe other of the "NO T-" agents are also. In his report of October 31, 1963 (17H753-70), Special Agent Milton R. Kaack, then in charge of the Oswald case (4H438), said, "NO T-1 is an employee of another government agency" (17H769).

An earlier reference to T-1 in this report (17H754) reads:

Confidential informant NO T-1 advised on July 23, 1963, that Post Office Box 30061 was rented by L. H. OSWALD on June 3, 1963. He furnished as his address of 657 French Street, New Orleans, Louisiana. T-1 advised on October 25, 1963, that the subject sent a forwarding address for P.O. Box 30061 on September 26, 1963, of 2515 West Fifth Street, Irving, Texas.

From this it might be inferred that NO T-1 is an employee of the Post Office Department. But from other information, perhaps not. *Whitewash: The Report on the Warren Report* discusses this address change (page 139):

In tracing the other boxes the Report accurately describes Oswald's closing out of his New Orleans box and the filing of a change-of-address card immediately prior to his trip to Mexico in late September 1963. What the Report ignores is the intriguing revelation by Postal Inspector Harry D. Holmes (7H289-308; 525-30) that still another change-of-address card not written by Oswald was sent to the New Orleans office. It was postmarked in New Orleans October 11, and in Dallas October 16. Assistant Counsel Wesley J. Liebeler frankly admitted the problem that presented the Commission, stating, "Let me come bluntly to the point. My problem is this: Oswald wasn't in New Orleans October 11. He was in Dallas" (7H529).

Inspector Holmes could only conjecture that some unknown person had telephoned the change of address to the New Orleans post office (and even to its correct branch). The Report, in ignoring this, ignored obvious conspiratorial connotations. The Commission's attitude is reflected with unfortunate clarity by the disposition Liebeler made of his unwanted evidence, "Well, In any event, we will add this to the pile" (7H530) .

In reporting to the FBI and before the assassination, if "NO T-1" were in the post office, there would seem to be no reason for withholding the information about the October 11 change of address and less reason for hiding the mystery of the Dallas postmark five days later. His report to the FBI was not made until October 25, after the dates on the card.

So there is a fair inference that "NO T-1" was not an employee of the Post Office Department. There are numberless federal agencies in New Orleans, as there are in all major cities, but there is no immediately apparent reason any agency save those dealing in intelligence would have such interest and be aware of the FBI's parallel interests.

Of those agencies handling intelligence matters, the most likely one would seem to be the CIA, whose involvement with the Cuban refugee groups is an open secret already well publicized and equally well documented. This is also consistent with the subject of "NO T-1's" report, the activities of Cuban refugees in preparing for a military adventure against Cuba.

The Treasury Department, which operates the customs service, is a good possibility, also. Later chapters will show they made some arrests in this case and others that may be related to it.

In this connection, the first line of the report deserves emphasis:

On July 30, 1963, NO T-1, who is in a position to learn of some of the activities by anti-CASTRO and pro-CASTRO Cubans in the New Orleans area . . .

Both sides? From the same man? It does not sound like Internal Revenue or Social Security. If it were the Border Patrol and one who knew of FBI interest, it is hardly likely that an efficient informant would wait six days to communicate.

If the "NO" and "T" are used consistently, it would seem that "NO T-2" has the same connections, for Special Agent Kaack reported (17H755).

A confidential informant, NO T-2, advised on June 26, 1963, that LEE H. OSWALD, Post office Box 30061 New Orleans Louisiana wrote a letter on June 10, 1963, to *The Worker*, West 26th Street New York 10.

Kaack gave the contents of that letter, including Oswald's claim he was "a long-time subscriber to *The Worker* and the statement that he was forming a "Fair Play For Cuba Committee" in the New Orleans area.

Similarly (17H756), "confidential informant NO T-5" advised that Oswald had sent *The Worker* a change of address card. And on the same page "NO T-6" is identified as a woman who knew the FBI would be interested in the Oswald handbill distribution that led to his arrest when she observed it at 1:15 P.M., prior to the arrest, without knowing who Oswald was.

From this it would seem that the "T" represents an agency with access to the mails and in a position to open letters or to have them opened, and this, too, indicates CIA.

It is almost a lifetime job for one man to begin to try and make sense of the Commission files, to put them in the proper perspective, the perspective avoided by the government, through all its agencies, including the Commission. This material is an enormous monument to the willingness and desire of the government's investigative agencies and the Commission's staff to smother the Commission and history in a mass of trivia and unrelated literary garbage, to obfuscate the real story and roles of the characters in it.

One of the larger files is No. 75. It is so large it is bound into two separate volumes, each about two inches thick. It is largely a "New Orleans" file. It is a "Ferrie," a "Bertrand" file, a large part of which is suppressed.

On page 132 the discussion and content are consistent with having come from the mailman who served the area of 4907 Magazine Street, New Orleans, where Oswald then lived. It is difficult to imagine that the detail presented of the mail, what it contained, where it went and things like that, could have come from other than the Post Office Department. The informant is

identified as "NO T4."

However, on page 82 there begins data supplied by "NO T-6." The nature of this information indicates that "NO T-1" is an employee of either the Social Security Administration or the State Unemployment Commission or has unrestricted access to the kind of intelligence these agencies have.

Everything reveals a massive spy operation against Oswald.

This could have been inspired by fears about him and his potential activities. Marina quoted her husband as bemused by the FBI's stated concern that the Soviet Union would seek to make an agent of him or of her. Marina and Lee both knew how intensely he detested the country to which he had defected and from which he had redetected, her native land to which she had no desire to return. Both Oswalds regarded as ridiculous the alleged FBI apprehension; because he could not credit it, Oswald, was, in Marina's account, perturbed after visit from the FBI. He told her they were playing kids' games.

This vast intelligence operation against Oswald is also consistent with the desire, really the need, of intelligence agencies to keep tabs on their operatives of whatever rank in the espionage and counter-espionage machinery. All agencies always worry about "double agents," that is, those who serve both sides while pretending to each that he is loyal to and serves it alone. The spook-master must know what each of his spooks is up to. He goes to great pains and trouble to learn.

But the intercepted Oswald letter contradicts the alleged FBI reason for reopening the case. Former FBI Agent John W. Fain, who had been in charge of the Oswald case until his retirement, told the Commission on the morning of May 5, 1964 (when Wesley Liebeler was among the six members of the legal staff present at the hearings), that he had closed the Oswald case August 30, 1962 (4H423 ff). That same afternoon James Patrick Hosty, Jr., testified (4H442) he had had the case reopened on the basis of two new things: Proof that Oswald got *The*

Worker and because his wife is a Russian national registered under the law.

But neither of these is or was new. Oswald had been, as his intercepted letter said, a subscriber to *The Worker* and his wife had been in the same status all along. Former CIA head Allen Dulles took his seat after the hearing had started. Having heard in the morning that the Oswald case had been closed, he was puzzled.

"It is not clear to me," he said.

"You missed a lot of this," Oswald-expert Hosty replied, curtly.

At this point Assistant Counsel Samuel Stern explained to Dulles, "The file was closed, sir, until March of 1963 when Mr. Hosty decided it should be reopened on the basis of two items of information, one of them the fact that Lee Harvey Oswald was listed as a subscriber to *The Worker* newspaper."

The subscription list of *The Worker* is not secret from the FBI and has not been for a long time. Oswald's subscriptions were a matter of government record for years, going back to his Marine Corps days.

But if this seems confusing, it is no less so when the August 30, 1962, report of Special Agent Fain (17H733) and his earlier joint report with Special Agent Arnold J. Brown (17H737-8) are considered. Fain reported two things of interest: that Oswald refused to answer when asked why he went to Russia (in his testimony Fain referred to Oswald as arrogant and insolent); and, in effect, that he asked Oswald to become an informant. His exact language is, "OSWALD agreed to report to FBI any information concerning contacts or attempted contacts by Soviets under suspicious circumstances."

The joint report quotes Oswald as saying he was assured against prosecution when he returned to the United States (17H737). He gave the same response to the questions on why he went to the Soviet Union and would he be an FBI informant if he were contacted.

The visit on August 15, 1962, when the FBI insisted on interviewing Oswald outside his

home (4H420), is one that Marina testified particularly disturbed him. Fain's account of the great solicitude of the FBI is not consistent with Marina's. Fain said the FBI "didn't want to embarrass you before your employer" (4H420). Marina told the Secret Service that every time Oswald got a job, the FBI got him fired.

There are intimations here of an Oswald-government association. The Commission denied this in the Report ("Oswald Was Not An Agent for the U.S. Government," beginning on page 325, is a subsection of the Report). Congressman Ford denied any such relationship in the first chapter of his own commercially sponsored "Warren Report" *Portrait of the Assassin*. The appropriate officials of both the CIA and FBI also denied it. All also ignored the Dallas police report I reproduce in *Whitewash 11* (page 50) quoting the FBI as declaring *before* the assassination that Oswald was "all right." This police report is not mentioned anywhere else. It is suppressed from even the ten million words of evidence in the 26 volumes, although it is in the Commission's files.

The evidence behind these denials is less than persuasive and anything but what the Commission represents it to be. The Commission began with the assumption that the FBI or the CIA would admit a connection with the man accused of being the Presidential assassin -- an assumption warranted by neither common sense nor such events in history as the Francis Gary Powers U-2 case.

Alan H. Belmont, assistant to the Director of the FBI, testified the morning of May 6, 1964 (5H1 ff). He had the "Oswald" file with him but the Commission declined to keep it for close examination(5H10-11). Four members of the Commission were present when the decision was made: Warren, McCloy, Ford and Dulles.

Belmont then offered an affidavit from Hoover (5H14) stating flatly that "Lee Harvey Oswald was never an informant of the FBI." It and a covering letter from Hoover became Exhibit 835 (17H814-8). While one might have expected this more properly would be introduced during

Hoover's testimony on May 14 (5H97 ff), the Commission and all its legal talent worked in magical ways and Belmont swore to the second-hand information. There was remarkably little discussion and not a single "penetrating" question. What it adds up to is that the FBI says Oswald was never its agent or informant because some agents say so and because they have no record of payment to Oswald -- neither a very valid reason.

One of the things missing here is the Secret Service report in which former Houston *Post* reporter Alonzo Hudkins, III, is quoted as having told the Houston Secret Service Office on December 17, 1963, that "Chief of the Criminal Division of the Dallas Sheriff's Office" Allen Sweatt told him Oswald was in the pay of the FBI. It is but a single page plus six lines of typing. The Commission could have printed it and the "Oswald is all right" report both on a single page. It did not.

Hoover's four-page affidavit, seemingly detailed and complete, is actually rather evasive. He says, for example,

That he had caused a search to be made of the records of the Federal Bureau of Investigation, United States Department of Justice, by employees of said Federal Bureau of Investigation acting under his direction and that said search discloses that Lee Harvey Oswald was never an informant of the FBI, was never assigned a symbol number in that capacity, and was never paid any amount of money by the FBI in any regard (17H815)

What he does not say is that he can guarantee this was not done under any name other than "Oswald" or under any other bookkeeping arrangement such as having to do with "expenses."

I am willing to believe that Oswald was never in the FBI pay. But neither Hoover nor the Commission *proved* he was not.

In his own private, commercially sponsored Warren Report *Portrait of the Assassin*, Congressman Ford, in the very first chapter, quotes Henry Wade, then Dallas District Attorney

and formerly a long-time FBI agent. Wade told Commission General Counsel J. Lee Rankin that he had dispensed \$2,000 a month to informants, with no official record. The denials are not persuasive. Wade also told Rankin, apropos of Oswald's use of post office boxes, that they were "an ideal way to handle such transactions and was a way he had used at various times in the past, too."

Suspicion in this matter is not diminished by the absence from the Report of the name "Ronnie Dugger" though Dugger had pertinent information. (His name is mentioned but once in all fifteen volumes of testimony (2H42), and then as having seen activity on what is known in Dallas as "the grassy knoll," west of the Texas School Book Depository Building. He was told the same story as Hudkins.) He is editor of the weekly *Texas Observer*. He had written a well-known book and for major magazines. At the time of the assassination, he was also corresponding for the *Washington Post*. Writing in the February 1967 issue of a Texas magazine, *Latitudes* he said of his own reporting of the assassination, ". . . an official told me that Oswald had been an employee of the FBI and had a certain pay number, which my source gave me. He would not give me his source but said it was solid."

The Commission failed, too, to call Dugger as a witness -- or Hudkins, or Sweatt. The Report lists those regarded as "witnesses," if only an unsworn statement was used. Not one of these men was called (R487, 490, 498). This is one way of "wiping out" a "dirty rumor," but not a persuasive one.

A number of other provocative items scattered throughout the evidence raise questions for which there is no satisfactory answer. For example, in Oswald's pocket address book there are these notations on a page (16H67) that faces a blank page:

Cuban Student
Derectorate (sic)
107 Decatur St

New Orleans, La
Carlos Bringuier

N.O. City Editor "Cowan"
David Crawford
reporter

117 camp
107 Decatur
1032 Canal

After the middle of these three addresses but extending upward from it is "cuban exile store." This is the address of Bringuier's store. Why is it listed twice? What do the other two addresses represent? The Camp street address is across from the International Trade Mart, which since then has moved. It is the address of a clothing store where formal attire is rented. Oswald had no such interests. Why should he have noted it in association with Bringuier?

Or did he make a mistake, or have his own special code? In the building at 107 Camp Street, the Cigali Building, advertising man Ronnie Caire, who was connected with the anti-Castro Cuban groups, then had an office. It was on the Canal Street side, opposite the Camp Street entrance. Caire says Oswald applied for a job with him, claiming public relations experience. It should by now not surprise the reader to learn that Caire is one of the multitude who were not called as witnesses by the Commission and should have been. His New Orleans reputation is excellent. He is considered a generous man, easily touched. He says he lost about \$10,000 on his effort to help the "Crusade," that about \$4,000 was raised, and that some of it was "pocketed" by another.

That he was not called as a witness is not because the FBI was unaware of these things. Caire complains that their questionings "cost me about 100 hours" of time.

The Canal Street address is not where Oswald was arrested, which was in the 700 block, and it is not a good address but was then and is now a blank one. The numbers go from 1030 to

1034. In the covered-over passageway on that side of 1030 is a small fruit stand. Its number is 1030½.

If Oswald made a mistake and meant 117 Decatur, that is the address of Orest Pena's Habana Bar and Lounge, where there were other interesting developments in the story of Oswald in New Orleans, and at about this time, notably the spectacular and conspicuous drunk staged there by Oswald or his counterfeiter. And why should Oswald have noted the names of the city editor and reporter in the middle of these entries.

We do not know whether he made these notes before or after he got himself arrested in this handbill operation, which makes sense only as part of a scheme to establish a "cover." But there is reason to believe it was not after the arrest, because there is what seems to be such an item in his notebook (16H62), also facing a blank page. It is the listing of WDSU-TV, over which he broadcast *after* his arrest. This listing has the names of several of its staff and their phone numbers but no address. It logically would have been entered after his arrest.

When this manner of establishing a "cover" is considered in conjunction with the strange business of his notebook copyings and his possession at the time of his arrest of a list of entries that could serve only to show he had been a defector to the Soviet Union, along with the equally perplexing plea of guilty he entered when he was not guilty, it is apparent the whole affair requires explanation the government has not made. The least likely preparation of a sincere Castro sympathizer sallying forth on a propaganda venture that could lead to his arrest is evidence of Communist or Russian connections. This handbill operation seems to have been designed for an arrest and a police record. As soon as Oswald harvested the "pro-Castro" press he thus made, he took it to Mexico with him and used it in an unsuccessful effort to get a Cuban visa. After this failed, he still kept reminders of the affair. One was found when the Dallas police searched his property in the garage of the Paine residence, in Irving, Texas, after his arrest on November 22, 1963. In the inventory of what was seized there is Item #231 (24H335), a "slip of

paper containing names Carlos J. Bringuier, Miguel M. Cruz and Lt. William Gaillot." Cruz was with Bringuier when he broke up Oswald's handbill operation; Gaillot, the police officer in charge.

Such items and entries in the notebook would be less troubling if there were any serious official explanation of their purpose and if so many questions did not remain, so many indications of Oswald's intelligence involvement.

When the FBI prepared an "analysis" of this notebook, of what J. Edgar Hoover described (5H112) as "those items in Oswald's notebook requiring investigative attention," the presence in it of the telephone and license numbers of the car of James P. Hosty, Jr., the FBI's Oswald "expert," was not included. Hoover's explanation is that "this report was not prepared for this Commission." This explanation, too, is not persuasive.

Oswald was, in fact, violently anti-Communist, as much in the Commission's evidence proves. Two weeks after his arrest for the handbill distribution -- on August 22, only six days after his third and last such operation -- he made a particularly violent anti-Communist speech before a Jesuit institution in Mobile, Alabama, where Rev. Paul Piazza was on the staff. This is not consistent with his phony "Fair Play for Cuba" activity but is consistent with suspicion about his purposes and connections.

Hoover also told the Commission (17H816) that FBI headquarters has obtained affidavits from every special Agent who was in contact with Oswald, as well as from their SACs (Special Agents In Charge). These affidavits show that none of these FBI agents developed Oswald as an informant."

Here again, the self-serving affidavits are no substitute for the Commission's own investigation.

These affidavits, with the February 12, 1964, covering letter from Hoover, were entered into the record as Exhibit 825 (17H741-62). The most conspicuous omissions are those one

would most suspect. There is no affidavit from Warren deBrueys, the Cuban expert, whose New Orleans-Dallas route matched Oswald's. Nor is there one from Milton Kaack. Pertinent to this omission is the following exchange between Dulles and Quigley (4H438):

Mr. Dulles: Who was in charge of this other investigation from the FBI office with regard to Lee Harvey Oswald that you found out about later, was this Special Agent Milton R. Kaack?

Mr. Quigley: Yes, sir.

Mr. Dulles: Did you make your report to him, did you?

Mr. Quigley: Orally, yes; I discussed it with him.

On its part, the Commission, through Rankin, went out of its way to praise the wonderful help provided by the federal investigative agencies. For example, Rankin wrote Hoover April 22, 1964, to ask if the FBI had:

any information hitherto not disclosed to this Commission concerning the association of Lee Harvey Oswald with any Communist or subversive organization or individual either in the United States or abroad or with any criminal or criminal groups either in the United States or abroad. The Commission is most anxious to be assured that it possesses the full extent of your agency's knowledge and information concerning the aforementioned associations of Lee Harvey Oswald.

The Commission must have liked this letter very much, for it introduced it into evidence twice almost simultaneously, as Exhibit 864 addressed to the FBI (17H857) and as Exhibit 868 addressed to the CIA (17H864). The difference between the copies printed in facsimile is that one is almost illegible with magnification and the other is in part still illegible under magnification. This is neither unique nor necessarily innocent. The Commission's staff were mature people and the Government Printing Office knows its business. Clear copies could have been provided the printer or the letters could have been set in type.

The letter shows the Commission's great and continuing concern with Oswald's possible connections with the Russians, whom it well knew he hated, and with criminals, where there was no reason for such concern. What this inquiry did not seek and what the Commission knew it should seek is evidence of Oswald's connection with Cuban refugee groups -- once again, silence about the groups. The FBI under the aegis of the CIA, was not about to interpret Rankin's inquiry to cover those it knew to be manipulated by its sister spooks.

The CIA also did not interpret the inquiry to include the Cubans, for it replied (Exhibit 869) under date of May 4, 1964, in the negative.

CIA Director John A. McCone's affidavit also assured the Commission that the CIA had no contact of any nature with Oswald (17H866). What is missing from this assurance is that none of the vast treasure poured out to the Cuban groups reached Oswald. Indeed, it was not possible to give this assurance.

McCone, accompanied by his then assistant, now the agency's head, Richard M. Helms, followed Hoover on the stand (5H120 ff). Helms' statement to the Commission is likewise inconclusive, although it was taken to be and without scrutiny seems to be. He said (5H121):

On Mr. McCone's behalf, I had all of our records searched to see if there had been any contacts at any time prior to President Kennedy's assassination by anyone in the Central Intelligence Agency with Lee Harvey Oswald. We checked our card files and our personnel files and all our records.

Now, this check turned out to be negative. In addition I got in touch with those officers who were in positions of responsibility at the times in question to see if anybody had any recollection of any contact having even been suggested with this man. This also turned out to be negative, so there is no material in the Central Intelligence Agency, either in the records or in the mind of any of the individuals, that there was any contact had or even contemplated with him.

Shades of U-2, the Bay of Pigs, Laos and a hundred. other ghosts! The Commission believed this, or at least said it did. What is missing here also is the assurance the CIA had no way of making, that Oswald had no relationship with it through groups it sponsored or financed.

The FBI and CIA had no way of making these assurances, yet the Commission seemed able to jump to the conclusion that Oswald had no relations with the government even through any front or agency of any government branch.

Going along with this, the Commission also had indication that Oswald was other than he seemed to be, other than it made him out to be. Recall the official story, when added up, that Oswald was a Marxist Marine who had a "confidential" security clearance, one of the lower categories, who knew the secret radar codes and told the United States Embassy in Moscow that he was giving them and all other secret knowledge he possessed to the Soviet Union, and for this was entirely unpunished on his return. What is fact but not a conspicuous part of the official story is that he would not return until assured he would not be prosecuted.

When men were being discharged from the armed services for real or imagined connections with Communist or those described as "Communist front" groups, it is stretching credulity to believe it was normal for Oswald, self-styled a "Marxist," who taught himself Russian and openly subscribed to Russian papers, to have enjoyed any kind of security clearance. This dichotomy did not trouble the Commission. It managed to avoid gathering evidence bearing on this.

My writings on the assassination and its official investigation have been restricted to what comes from the official information. Here I make a minor departure because I think it is important.

At one o'clock in the early morning of December 15, 1966, in the Oakland, California, studios of Radio Station KNEW, I had just finished appearing on Harvard educated lawyer Joe Dolan's lengthy phone-in radio program on which listeners called with comments or questions about the assassination and its investigation.

There was a man on the line who had called toward the end of the program. He wanted to speak to me but not on the air. Further, he wanted the assurance that our conversation would be

private. This was, of course, mysterious. I took the call.

The caller was disturbed by the "beep" on the line. He associated that with the required signal for recording. I assured him that the engineer was not on it, that it was not being taped, and that he could talk to the engineer to learn these things. Overhearing this, the engineer explained to me and I to the caller that, with phone-in programs, the beep is automatically built into the line so there can be no possibility of listeners not knowing the conversation is being broadcast. The stranger on the other end of the line was partly satisfied. He alluded to this beep several times in the next hour and a half. We talked that long.

It was part confessional, part shame mixed with self-pity and self-derogation, part fear, and all worry. This man had been in the Marine Corps with Oswald. From his personal experience, he did not believe a single word about the Oswald of this period that became public with the Report. He had agonized in silence for the three years between the issuance of the Report and our conversation because he knew things, he said, that had not been made public and were not in accord with what had been publicized and he was certain what he knew was correct.

Following his military service, he had built a successful life, had a family, and was worried about the possible consequences of being associated with any account not in consonance with the official Oswald "line." He feared he or his business might be hurt or that his family might suffer. By no means could I assure him that nothing would happen; I did encourage him to consider the importance to the country, to his family and himself, of any information he might possess.

But he would talk only in anonymity. I respect his desires and will not reveal the few unintended clues to his identity that slipped out. I have made and will make no effort to trace him.

Briefly, it is his story that Oswald was bright, not a kook of any kind, not a blatant or proselytizing Marxist, and really a quiet, seriously. They knew each other socially and engaged

in certain recreational activities together. He never heard Oswald say anything about Communism, for or against, in all this time.

More important is what he disclosed about Oswald's position in the Marine Corps. The unit in which both served, said my informant, was one of three similar ones of which one was always in Japan and the others in the United States. Their function was classified. Every man in the outfit carried security clearance. They had a security designation of which I had never heard. These were that kind of unusual military organizations.

Of all the men in the outfit, five had special "top" security approvals. The entire complement carried a minimum of "confidential" (the grade the official file records Oswald as having had). Above this there were "secret," "top secret," and a special one, "crypto." Of all the men, only five were "crypto."

One of these was Lee Harvey Oswald!

"Can you possibly be wrong?" I asked him.

He insisted not.

"Could your memory be playing tricks?"

No, he was positive. He went farther when I questioned him about "crypto," which he indicated was "black box" stuff. I took it to mean a connection with nuclear weapons.

If correct, this is more than in disagreement with the entire official story of Oswald his relations with the government and the assassination. It is an assault on the integrity of many of the members of the staff of the Commission and of the investigative agencies. It raises questions about the transcripts of Oswald's official Marine Corps records. In every way he could, this man insisted he was not in error, that he knew.

And he went into more detail. Correctly stating that Oswald got a "hardship" discharge so he could care for an allegedly destitute mother (it was common knowledge among his mates that Oswald had said he planned to go to Switzerland for study instead), the mysterious caller

specified that Oswald spent his last two or three weeks in the service "with CID." It is, obviously, not a requirement of a "hardship" discharge that the enlisted man stay with military intelligence.

Immediately my mind flashed back to my first book on *this* subject, *Whitewash: The Report on the Warren Report* where I had exposed certain unorthodox aspects of Oswald's discharge (pages 123-4) that are here appropriate. That section reads:

With but 43 days of his Marine Corps enlistment remaining, or three months if the penalties of the courts martial had been imposed (19H725), Oswald received a "hardship discharge" (19H676). This was a clear fraud about which neither the Marine Corps nor any other government agency ever did anything. Why?

There are 112 pages of photocopies of Oswald's Marine Corps record reproduced at one point in the 26 volumes of hearings and exhibits (19H656-768), but that record is incomplete in at least one major aspect.

This series of documents shows Oswald enlisted on October 24 1956. He was twice court-martialed, once for the dream offense of many servicemen and once for an even more unusual departure from regulation. The second breach, in non-military language, consisted of swearing at a non-commissioned officer and assaulting him "by pouring a drink on him on or about 20 June 1958 at the Bluebird Cafe, Yamato, Japan." He was sentenced to a \$55.00 fine and four weeks at hard labor, the second part waived on condition of good behavior. Less than six months earlier he had been court-martialed for accidentally shooting himself with his his own loaded .22 caliber pistol, possession of which was prohibited. The generous Marines found this injury "was incurred in line of duty and not related to misconduct." His sentence was 20 days at hard labor a \$50.00 fine, reduction in rank to private, with the confinement at hard labor suspended for six months unless sooner vacated (19H663-4, 682-4, 692, 707-8, 747-52).

Of Oswald's personal activity In the Marines the Report states: "He studied the Russian language, read a Russian language newspaper and seemed interested In what was going on In the Soviet Union." In the unit with which he served upon his return from the Far East, Oswald was referred to as "comrade" and "Oswaldskovich" (R388). But his clearance to handle classified information was not revoked. It was granted May 3, 1957, "after careful check." Upon discharge he signed a form acknowledging he had been informed about penalties for revelation of classified information. This included awareness "that certain categories of Reserve and Retired personnel . . . can be recalled to duty . . . for trail by court-martial for unlawful disclosure of Information . . ." (19H680). When Oswald defected and appeared in the U.S. Embassy in Moscow, he declared his intention to tell the Russians all he knew, and he knew about the radar installations in which he served and of codes (R262, 265, 393). The Report is barren on the subject, but there have been accounts published of the necessity for changing codes after his defection.

Yet on his return to the United States, Oswald was not kept under regular surveillance (R439), was not charged with breach of security and was not

even confronted with the fraudulent nature of his hardship discharge. Explanations of lack of proof might be offered, no matter how unacceptably, for the failure to charge him with breach of security. But the failure to keep him under surveillance or to do anything about his fraudulent discharge are not susceptible to such facile pleadings. And the Report is incomplete on even this unsatisfactory explanation. It reads "No evidence has been found that they used him for any particular propaganda or other political or informational purposes" (R393). There is no reference here to military or security information.

The hardship discharge was to enable Oswald to care for his mother. He made not even a gesture in this direction and the Marine Corps would appear to have been aware that he had no such intention. The effective date of his discharge was September 11, 1959 (19H680; 22H79). On September 4, 1959, he applied for a passport from Santa Ana, California. It was issued September 10, 1959. Accompanying this application was a Marine Corps certification that had to be filed with the passport application and submission of which is noted on the application. "This is to certify," it read "that PFC (E-2) Lee Harvey Oswald, 1653230, U.S. Marine Corps is scheduled to be released from Active Duty and transferred to the Marine Corps Reserve (Inactive) on 11 September 1959."

Under "Occupation" on the application, Oswald described himself as "shipping export agent." The places he intended visiting included Cuba and Russia. During a proposed length of stay of only four months, he said he was going to be a student at "the College of A. Schweitzer" in Switzerland and the University of Turku, in Finland. He had all of his transportation arrangements made and specified in the application that he would leave New Orleans by Grace Line ship September 21, (22H77-9).

The Marine Corps certification of Oswald's imminent discharge that accompanied his passport application at the very time it was processing a hardship discharge was not lost in the mass of the Commission's documentation. Nor is it suppressed in the Report. Instead the Report ignores both this and the fraudulent nature of the discharge in the text and, in a 13-line section of Appendix XV in which the nature of the discharge is not referred to, notes that a statement that "he was about to be discharged" accompanied the passport application (R746). Why did not the Marine Corps revoke Oswald's security clearance; why did it keep him in a classified job and cooperate in getting him a passport while it was discharging him so he could support his mother?

This is the background of Oswald's now famous trip to the Soviet Union, where he arrived in mid-October 1959.

After an hour and a half of this, when there was nothing but repetition, I wondered if I would be able to awaken for a pre-dawn television show in San Francisco. I had to call an end to it, yet was reluctant to because there lingered the hope that, in talking, this man might suddenly find the courage to go public.

Finally, I asked him to write me an anonymous letter, setting forth all he had said and

anything else he might recall and noting anything that came to his mind that would tend to substantiate his story. First, he protested that his handwriting could be checked. I suggested he type it. Typewriters, too could be traced, he demurred. Finally, he said he might write it all down and then get someone he could trust to transcribe it in a hand that could not be traced to him. He would think it over.

That was eighteen weeks before this writing, although it seems much longer. He has been silent.

Of the things he mentioned, "Crypto" security clearance bothered me; I had never heard of it. From time to time I asked reporters about it. In February 1967, when I was in Boston, I mentioned this strange post-midnight telephone call to Bob Scott, newsman at WNAC, who has connections with people who had been in military intelligence. He soon phoned to report that there had been such a security designation.

But certain parts of his story sounded provokingly familiar, so as soon as I got home I started checking against the Commission evidence. One thing I recalled closely coincided with parts of this information.

At the first opportunity I reread the May 18, 1964, testimony of Kerry Wendell Thornley, a former Marine Corps buddy of Oswald (11H82 ff). Thornley was questioned by Assistant Counsel Albert E. Jenner, Jr., who had played the minor part in the New Orleans interrogations, most of which had been conducted by Liebler. One thing was immediately obvious: Thornley's testimony was physically separated from 100 percent of the other testimony about Oswald's Marine Corps career. It is all alone on this subject in Volume 11, which the preface also makes clear. This confirmed my hunch that I had to reread this testimony that I had not studied for two years.

Sure enough, what I seemed to recall is there.

Thornley had an apparently incorrect recollection that, because of his court martial for

the enlisted man's dream offense, pouring a drink on his sergeant's head, Oswald had temporarily lost his security clearance and was assigned to janitorial duties. This follows: (11H84-5)

Mr. Jenner: I was going to ask you what losing clearance meant. You have indicated that -- or would you state it more specifically.

Mr. Thornley: Well, that meant in a practical sense, that meant that he was not permitted to enter certain areas wherein the equipment, in the case equipment, was kept; that we would not want other unauthorized persons to have knowledge of. And on occasion information, I imagine, would also come to the man who was cleared, in the process of his work, that he would be expected to keep to himself.

Mr. Jenner: I assume you had clearance?

Mr. Thornley: Yes, sir; I was, I think, cleared for confidential at the time.

Mr. Jenner: Cleared for confidential. I was about to ask you what level of clearance was involved.

Mr. Thornley: I believe it was just confidential to work there at El Toro on that particular equipment.

Mr. Jenner: That is the clearance about which you speak when you talk about Oswald having lost it?

Mr. Thornley: Oswald, I believe, had a higher clearance. This is also based upon rumor. I believe he at one time worked in the security files, It is the S&C files, somewhere at LTA or at El Toro.

Mr. Jenner: Did you ever work in the security files?

Mr. Thornley: No, sir.

Mr. Jenner: And that was a level of clearance --

Mr. Thornley: Probably a secret clearance would be required.

Mr. Jenner: It was at least higher than the clearance about which you first spoke?

Mr. Thornley: Yes, sir.

This story of Oswald's having a high security clearance is not consistent with most material in other volumes or with the Report. Note also Thornley's unprodded recollection of Oswald's "having worked in the security files; it is the S & C files." This is hardly a normal assignment for enlisted men who learn to speak Russian, ostensibly for themselves, openly subscribe to Communist publications and are ostentatiously pro-"Marxist."

The Thornley testimony is not inconsistent with the information that destroyed the peace of mind of my worried California informant. It is testimony that Jenner, who in late 1966 and 1967 was one of the members of the staff of the former Commission most vocal in its defense

and his own (though he always managed not to show up for those electronic confrontations With me that he had earlier accepted), as a competent and experienced lawyer, should have latched onto and probed and prodded until he had obtained from Thornley all the witness knew. It is not at all out of step with his own and the Commission's record that Jenner did not. Need we wonder longer why this testimony alone was separated from the other evidence on Oswald's Marine Corps career?

Thus, what might have been a major revelation remains instead one of the major mysteries, officially hidden by the Commission but now, I think smoked out. It is particularly pertinent in the developing New Orleans story.

There are many other things in the record that bear on this, some negatively. For example, no member of the staff ever pursued this strange inconsistency, Oswald the Marxist in a position of high security trust in the Marine Corps. It should have been a troubling legal hangnail to each and every one, and to the members of the Commission. Instead, the Commission used this least desirable method of gathering "testimony" and that on a selective basis only. *Ex parte* and incompetent depositions were taken from Thornley, Nelson Delgado (8H228-65), another former Oswald Marine Corps chum, and his former superior officer Lt. John E. Donovan (8H289-303). From all the few others included in the record, there are but brief and insufficient affidavits

With one exception, all reveal a Commission interest in whether Oswald was a homosexual. That exception is the man who arranged dates between and his sister.

Lieutenant Donovan, "the officer in command" of the crew in which Oswald served (8H290), when asked about whether the murdered accused assassin had been a homosexual.:

Mr. Ely: I believe you mentioned earlier that he did not seem to you particularly interested in girls. Was this just because he was interested in other things, or do you have any reason to believe that there was anything abnormal about his desires?

Mr. Donovan: I have no reason to suspect that he was homosexual, and

in that squadron at that time one fellow was discharged from the service for being homosexual. He was in no way tied in with it that I know of . . . (8H300)

Perhaps Donovan's most significant testimony tends to cast Oswald in a different role than the Report and indicates the magnitude of the breach of security and military trust he threatened at the Moscow Embassy when going through the motions if not the actuality of defection:

Mr. Donovan: I recall that he got a hardship discharge. We offered to get him a flight -- that is a hop from El Toro to some place in Texas, his home. He refused. We considered that normal in that if you take a hop you sacrifice your transportation pay. We offered to take him to a bus or train station. He refused. But that is not particularly unusual, either. I recall that he was gone for some period of time, and shortly before I got out of the Marine Corps, which was mid-December 1959, we received word that he had showed up in Moscow. This necessitated a lot of change of aircraft call signs, codes, radio frequencies, radar frequencies. He had access to the location of all bases in the west coast area, all radio frequencies for all squadrons, all tactical call signs, and the relative strength of all squadrons, number and type of aircraft in a squadron, who was the commanding officer, the authentication code of entering and exiting the ADIZ, which stands for Air Defense Identification Zone. He knew the range of our radar. He knew the range of our radio. And he knew the range of the surrounding units' radio and radar . . .

Mr. Ely: You recall that various codes were changed. Now, at what level were these changed: Was this an action of your specific unit, or a fairly widespread action?

Mr. Donovan: Well, I did not witness the changing in any other squadrons, but it would have to be, because the code is obviously between two or more units. Therefore, the other units had to change it. These codes are a grid, and two lines correspond . . . There are some things which he knew on which he received instruction that there is no way of changing, such as the MPS 16 height-finder radar gear. That had recently been integrated into the Marine Corps system. It had a height finding range far in excess of our previous equipment and it has certain limitations. He had been schooled on those limitations. It cannot operate above a given altitude in setting -- in other words you cannot place the thing above a given terrain height. He had also been schooled on a piece of machinery called a TPX-1 which is used to transfer radio -- radar and radio signals over a great distance. Radar is very susceptible to homing missiles, and this piece of equipment is used to put your radar antenna several miles away, and relay the information back to your site which you hope is relatively safe. He had been schooled on this. And that kind of stuff you cannot change.

Mr. Ely: Did Oswald have any kind of clearance?

Mr. Donovan: He must have had secret clearance to work in the radar center, because that was a minimum requirement for all of us. (8H297-8).

Oswald's prerequisite for returning to the United States -- a promise not to be prosecuted -- is contrary to the regulations quoted from *Whitewash* above and with the seriousness of the promised offence. It is hardly enough to say, as does the government, that Oswald said he did not give secrets away. There was no official proceeding to discover the truth after he returned.

One of the longest depositions is that of Nelson Delgado (8H228-65). It was taken April 18, 1964, by Wesley J. Liebler. In its 37 pages much is destructive of the official case as set forth in the Report. Some of the most fascinating leads, whether or not lost upon Liebler, are not in the Report, not even by indirection. Some are consistent with an Oswald-government, Oswald-intelligence relationship.

Delgado concurred with the others in reporting Oswald's access to "secret" data (8H232). He placed Oswald in "the silent area that is the war room" (8H259), not exactly where one expects the Marine Corps to assign "Communists."

In distributing mail in his barracks, Delgado learned that Oswald was getting Communist literature. Those superiors to whom he reported it, including a Lieutenant Delprado, "just brushed it off. He didn't seem to care" (8H260).

The homosexual questions also brought negatives. When Liebler came to the end of his long interrogation, he asked Delgado, "Can you think of anything else about him?"

Delgado said he had never seen Oswald drunk, though he knew Oswald drank an "occasional beer."

Liebler then asked, "Do you think he had any homosexual tendencies?"

Delgado replied, "No; never once," adding that "in fact, we had two fellows in our outfit that were caught at it, and he thought it was kind of disgusting . . . "

For all its pretended interest in ferreting out every detail of Oswald's history there is indication a few secrets remain, at least in the official record. This is revealed in part of

Delgado's testimony that will also interest us in another sense. Oswald had been in Tijuana, Mexico, before the weekend that he, Delgado and some of their companions had a fling. Oswald knew his way around. As Delgado put it:

We went down to Tijuana, hit the local spots, drinking and so on, and all of a sudden he says, "Let's go to the Flamingo." So it didn't register, and I didn't bother to ask him, "Where is this Flamingo? How did you know about this place?" I assumed he had been there before, because when we got on the highway he told me which turns to take to get to this place, you know. (8H253)

"The bartender was a homosexual." Liebler wanted to be doubly sure. He asked, "Was that apparent to you?"

Delgado was positive. "Oh, yes; it was apparent to us . . ." (8H253).

Oswald's interest was not in this homosexual. He "shacked up" across the street from the bar:

Mr. Delgado: Right across the street from the jai-alai games, there are some hotels, these houses, you know; and as far as I knew, Oswald had a girl. I wasn't paying too much attention, you know, but it seemed to me like he had one. (8H253)

Delgado did not help the official account of Oswald's alleged rifle skill. This part of the story is mixed in with Delgado's complains about the unfaithfulness of the FBI reports of their repeated pre-deposition interrogation -- there were *four* of them (8H236), lasting for hours (8H240).

One report that Liebler did not quote directly, from his reflection of it, placed Oswald, in a shooting competition with 40 men, "fifth from the highest." Delgado: "No; he didn't even place there." Of Oswald's "skill,," Delgado said, "It was a pretty big joke, because he got a lot of 'Maggie's drawers,' you know, a lot of misses, but he didn't give a darn." (8H235).

Delgado told the agents that on the rifle range Oswald "didn't show no particular aspects of being a sharpshooter at all" and that he didn't take care of his rifle and was penalized for this neglect (8H233) .

The existence of Delgado's difficulties with the FBI agents is made clear but not the reason or reasons. Presumably these came in part from the vanity of one of the agents who spoke Spanish. It was not only native to Delgado, but he carried a military specialty designation for his fluency.

One of the reports entirely misrepresented what Delgado says he told the FBI agents.

What Delgado displayed at the end of this excerpt from his testimony (8H238) is a medal:

Mr. Liebeler: Now the report that I have says that Oswald, like most marines, took an interest in the pool -- they call a pool instead of a pot, but that is the same thing?

Mr. Delgado: Yes; pool.

Mr. Liebeler: Oswald took an interest in the pool, which was started for the marine getting the highest score. It says, however, "Delgado said neither he nor Oswald came close to winning."

Mr. Delgado: No, no; that is erroneous, because I won. He didn't win at all.

Mr. Liebeler: You never told these FBI agents that you yourself did not come close to winning?

Mr. Delgado: No; because I was -- I was one of the highest ones there, I always had an expert badge on me.

Mr. Liebeler: You were a good rifle shot?

Mr. Delgado: Yes; just like I got one now (indicating).

Of one of the unpleasant episodes with the FBI that had to do with the agent's own opinion of his own competence in Spanish there is this account:

Mr. Delgado: No. I Just knew it was the spring because that is the time everyone goes out to fire. It's either going to be warm or it's going to be very cold when they go out there; it's never in between. I could have said that, but that was the day I was upset, because this guy kept on badgering me.

Mr. Liebeler: You are talking now about the interview when the Spanish speaking agent was present?

Mr. Delgado: Yes.

Mr. Liebeler: Which one of them kept badgering you?

Mr. Delgado: The Spanish agent.

Mr. Liebeler: What was he badgering you about?

Mr. Delgado: He kept on sitting -- he'd been talking, he'd looking at me, you know, and doing this (indicating), you know, and he was sitting just about where this gentleman is now, and I'd been looking out of the corner of my eye, because I couldn't concentrate on what he was saying because he kept staring at me, and he was giving me a case of jitters you know

Mr. Liebeler: You and this agent did not strike it off too well?

Mr. Delgado: No I am afraid not. We just spent hours arguing back and forth.

Mr. Liebeler: Off the record.

(Discussion off the record.)

Delgado was far from alone in complaining about the "inaccuracy" of the FBI reports. Most witnesses, when asked of conflicts between their testimony and the FBI statements, made this specific. Others volunteered their objections. These include a number of Secret Service agents. Mrs. Sylvia Odio, among others, went further and said the FBI did not ask the right questions, either, as we shall see. This treatment of Delgado is hardly the kind calculated to elicit cooperation, if that is what the FBI wanted.

Liebeler did his own blundering. Although Oswald pretended to be a Marxist, few if any of his companions really believed he was, although he always had Marxist literature conspicuously at hand and quoted from it. Oswald was a heavy reader and considered both above average in intelligence and more serious than his companions. During a discussion of what Oswald read, this ensued:

Mr. Delgado: Yes: and then he had this other book. I am still trying to find out what it is. It's about a farm, and about how all the animals take over and make the farmer work for them. It's really a weird book the way he was explaining it to me, and that struck me kind of funny. But he told me that the farmer represented the imperialistic world, and the animals were the workers symbolizing that they are the socialist people, you know, and that eventually it will come about that the socialists will have the imperialists working for them, and things like that, like these animals, these pigs took over and they were running the whole farm and the farmer was working for them.

Mr. Liebeler: Is that what Oswald explained to you?

Mr. Delgado: Yes.

Mr. Liebeler: Did you tell the FBI about this?

Mr. Delgado: Yes.

Mr. Liebeler: Did they know the name of the book?

Mr. Delgado: No.

Mr. Liebeler: The FBI did not know the name of the book?

Mr. Delgado: No.

Mr. Liebeler: It is called the Animal Farm. It is by George Orwell.

Mr. Delgado: He didn't tell me. I asked him for the thing, but he wouldn't tell me. I guess he didn't know. The Animal Farm, Did you read it?

Mr. Liebeler: Yes.

Mr. Delgado: Is it really like that?

Mr. Liebeler: Yes; there is only one thing that Oswald did not mention apparently and that is that the pigs took over the farm, and then they got to be just like the capitalists were before, they got fighting among themselves, and

there was one big pig who did just the same thing that the capitalist had done before. Didn't Oswald tell you about that?

Mr. Delgado: No; just that the pigs and animals had revolted and made the farmer work for them. The Animal Farm. Is that a socialist book?

Mr. Liebler: No.

Mr. Delgado: That is just the way you interpret it, right?

Mr. Liebler: Yes: I think so. It is actually supposed to be quite an anti-Communist book.

Mr. Delgado: Is it really?

Mr. Liebler: Yes.

Liebeler seemed suddenly to realize that he had set on record Oswald's anti-Communism *before* he went to the Soviet Union; he had further, made this *faux pas* "alone and unassisted." Liebeler abruptly changed the subject at this point, asking before Delgado said another word if he and Oswald "began to cool off toward each other."

Probably the most provocative ignored part of Delgado's testimony is what can be interpreted not as the improbable interest of the Cuban consul in Oswald but of Oswald's intelligence contacts while he was still in the Marines. When questioned about it separately, Delgado gave it as his opinion that Oswald's talk about Cuba and going there was not serious and "just barracks talk" (8H243). In another part of the deposition (8H260), Liebler asked, "Did he later tell you he had been to the Cuban Consulate (in Los Angeles, near their base)?"

Delgado replied, "Yes; but I thought it was just his, you know bragging of some sort."

Liebeler then asked, "You didn't really believe that he had?"

Delgado said, "Well, no . . . "

He volunteered the account of an unusual visitor to Oswald and conduct that could indicate an intelligence connection when answering a question about whether Oswald had visited the Cuban consulate, about which Delgado had no knowledge and which he did not believe. It began this way:

Mr. Delgado: . . . And I took it to be just a -- one of his, you know, lies, you know, saying he was in contact with them, until one time I had the opportunity to

go into his room I was looking for -- I was going out for the weekend, I needed a tie, he lent me the tie, and I seen this envelope in his footlocker, wall-locker, and it was addressed to him, and they had an official seal on it, and as far as I could recollect that was mail from Los Angeles, and he was telling me there was a Cuban Consul. And just after he started receiving these letters -- you see, he would never go out, he'd stay near the post all the time. He always had money. That's why . . . So then one particular instance, I was in the train station in Santa Ana, Calif., and Oswald comes in, on a Friday night. I usually make it every Friday night to Los Angeles and spend the weekend. And he is on the same platform, so we talked, and he told me he had to see some people in Los Angeles. I didn't bother questioning him. We rode into Los Angeles nothing eventful happened, just small chatter, and once we got to Los Angeles, I went my way and he went his. I came to find out later on he had come back Saturday . . .

Well, like I stated to these FBI men, he had one visitor; after he started receiving letters he had one visitor. It was a man, because I got the call from the MP guard shack, and they gave me a call that Oswald had a visitor at the front gate. This man had to be a civilian, otherwise they would have let him in. So I had to find somebody to relieve Oswald, who was on guard, to go down there to visit with this fellow and they spent about an hour and a half, 2 hours talking, I guess, and he came back. I don't know who the man was or what they talked about, but he looked nonchalant about the whole thing when he came back. He never mentioned who he was or nothing.

Mr. Liebler: How long did he talk to him, do you remember?

Mr. Delgado: About an hour and a half, 2 hours.

Mr. Liebler: Was he supposed to be on duty that time?

Mr. Delgado: Right. And he had the guy relieve him, calling me about every 15 minutes, where is he, the relief, where is the relief, you know, because he had already pulled his tour of duty and Oswald was posted to walk 4 hours and he only walked about an hour and a half before he received this visitor, you know, which was an odd time to visit, because it was after 6, and it must have been close to 10 o'clock when he had that visitor, because anybody, civilian or other otherwise, could get on post up to 9 o'clock at night that he had the visitor, it was late at night (8H241-2)

At that time Delgado thought this might have been connected with Oswald's chatter about the Cuban consulate:

Mr. Delgado: . . . because I thought it funny for him to be receiving a caller at such a late date -- time. Also, up to this time he hardly ever received mail; in fact he very seldom received mail from home, because I made it a policy, I used to pick up the mail for our hut and distribute it to the guys in there, and very seldom did I see one for him. But every so often, after he started to get in contact with these Cuban people, he started getting little pamphlets and newspapers, and he always got a Russian paper, and I asked him if it was, you know, a Commie

paper -- they let you get away with this in the Marine Corps in a site like this -- and he said, "No, It's not Communist, It's a White Russian. To me that was Greek, you know, White Russian, so I guess he is not a Communist; but he was steady getting that periodical. It was a newspaper.

Mr. Liebler: In the Russian language?

Mr. Delgado: Right.

Mr. Liebler: And he received that prior to the time he contacted the Cuban consulate did he not?

Mr. Delgado: Right. And he also started receiving letters, you know and no books, maybe pamphlets, you know little -- like church, things we get from church, you know, but it wasn't a church.

Mr. Liebler: Were they written in Spanish any of them, do you know?

Mr. Delgado: Not that I can recall; no. (8H242)

Liebeler then asked, "Did you have any reason to believe that these things came to

Oswald from the Cuban consulate?" (8H243)

Delgado's response was equivocal, so Liebler rephrased the question: You don't know for sure whether it was from the Cuban consulate?"

This time Delgado said, " No."

And it was "right after he had this conversation with the Cuban people" who were not "Cuban people" that Oswald told Delgado that "once he got out of the service he was going to Switzerland, he was going to school . . ." (8H243). Oswald did, in fact, apply for admission to the Albert Schweitzer college and used this as his excuse for foreign travel. He never went there, never made the pretense of going there, and there is now no reason to believe he ever intended going there. He bee-lined for the Soviet Union. The rest is history.

Bearing on this and to me one of the most fascinating of the too many raveled threads the Commission's lawyers left hanging is an FBI report of November 25, 1963, the first regular working day after the assassination. It is in File 75, one of the larger ones, page 677 of the second volume. It would seem to indicate the intelligence connections in New Orleans of an Oswald who could not have been Lee Harvey Oswald. But the Commission's lawyers were consistent. As they ignored all the abundant proofs of Lee Harvey's intelligence connections, so they left for the future the revelation of the real meaning of this, one of the very first, FBI interrogations.

FEDERAL BUREAU OF INVESTIGATION

Date 11/25/63

OSCAR W. DESLATTE, Assistant Manager, Truck Sales, Bolton Ford Company, 1483 North Claiborne Avenue, advised that he recalled two men coming to Bolton Ford on January 20, 1961. He remembered the date and following information as he had in his possession a bid for purchase form made out to Friends of Democratic Cuba, 402 St. Charles Avenue, New Orleans, Louisiana (Telephone Number JA 6-0763).

He said a Mr. JOSEPH MOORE, whose description he cannot remember, nor can he furnish any other identifying data regarding him, advised him that he and his friend, were representing the above organization and wished to purchase ten Ford Econoline Trucks. DESLATTE said MOORE listed the equipment he desired on the trucks, but he did not state whether they were for use here in the United States or were to be sent to Cuba. DESLATTE quoted him the price and advised that he would make a \$75 profit on; each truck. MOORE said that he thought they should get the trucks for no profit for his organization. MOORE then told him that he should change the name on the bid form from MOORE to OSWALD, no first name given. The individual with MOORE then said that was his name and it should go on the form as he was the man with the money and would pay for the trucks, if they were purchased.

DESLATTE was exhibited a photograph of LEE HARVEY OSWALD and he said he cannot recall ever having seen him before nor could he say this was the individual who had come in with either of the men who came in as it was almost three years ago that they were there and only spent a short time with him. He said he remembered this incident, not by the name OSWALD, but because of the name of the organization represented.

DESLATTE said that he, himself, filled out the above mentioned bid form completely and neither individual either handled it or signed it. He said that he made the original of this form

available to them and retained a carbon copy of this form for his use, which he said he made available to the interviewing Agents.

On 11/25/63 at New Orleans, Louisiana File No. 89-69 by SA's WILLIAM F. MC DONALD & W. J. DANIELSON, JR./lrs. -- Date dictated 11/25/63.

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Ah! what the mind can do with an Oswald, not Lee Harvey, in this sort of relationship with one of the organizations so well known as CIA groups! With its suppression by the Commission, in whose files it exists, what else can one do with it save ignore it?

But it cannot be ignored. It compels conjecture, and it demands answer.

Was this Oswald a relative of Lee Harvey? If this is so, with Lee Harvey then in Russia, can it be inferred that when he was in Russia he had a relative who had connections with U.S. intelligence, the CIA? If this, in turn, is true, does this indicate anything about Lee Harvey, when he was in Russia or before?

Lee Harvey was not the only one of his name in the employ of the Reilly Coffee Company, his place of work once he got settled in New Orleans and got a job. Any connection here?

The Reilly Coffee Company is across the street from the then Main Post Office, which figures in this story, next door to the Capital City Garage, where the FBI and Secret Service cars were kept and where Lee Harvey hung out, and a block away from the Newman building, to which we will come in due time, where other center stage actors in intelligence operations and in the drama of Oswald in New Orleans could have been found.

Chapter 5

THE GAY BOYS AND THEIR JIVE-TALKING LAWYER

Consistent with intelligence-agency involvement with Oswald and the Commission's great but publicly undisclosed interest in homosexuality and Oswald is the fascinating, jive-talk testimony of a short and roly-poly, warm and moon-faced, crew-cut, bespectacled, then-brave, articulate and off-beat New Orleans lawyer, Dean Adams Andrews. Had his testimony been given in public or to anybody other than this Commission, had it been taken by almost any lawyer other than Wesley Liebler, had it been heeded in any way, it could have made the writing of this Report impossible.

When he was belatedly called as a witness, three months too late, friendly, affable, talkative and seemingly intending to be helpful, Andrews laid out the bizarre story of Oswald's connections with "Latinos," "Mexicanos" and "Cubanos" and the homosexual ring never once mentioned in the Report. He introduced the Jekyll-Hyde character of Clay Bertrand and additional and unmistakable inferences of CIA involvement. Yet the name of Clay Bertrand is not once mentioned in the Report; nor are the connections and involvements of those gay men of Cuban and Mexican ancestry.

The International Trade Mart in New Orleans was built with solid commercial purposes in mind. It had the proper objective of fostering international trade, of making New Orleans famous, drawing commerce to her port.

It has given New Orleans a kind of fame and it has promoted trade. These are not, however, identical, for the international fame of the International Trade Mart began with the odd activities of this odd man, Lee Harvey Oswald, then an unknown. On August 16, 1962, he staged the third of his now-famous distributions of pro-Castro literature right outside of it, of all the buildings in New Orleans.

The first of these was a mid-June 1963 picketing of the fleet in the harbor (22H803ff). Oswald arrived in New Orleans the end of April (R725, 26H762). The second was the more famous event, the one that served to get him front-page attention, the one that Carlos Bringuier so conveniently broke up. The third is less well known, although the Commission did mention it in its hearings. But then, those

hearings were secret. About a sixth of all the hearings had as few as a single member of the Commission present. Most had but the Commission lawyer, empowered to administer oaths, the stenographer and the witness. These were, in effect, star chamber proceedings. They were the equivalent of back rooms, mostly in Dallas. Of particular interest to us here are those few in New Orleans, which is where what little testimony we have was taken. Not all the testimony that could and should have been taken was adduced. The most important witnesses never appeared before the Commission or its lawyers.

In these proceedings, there was no opposing counsel, a sad lack. The press was not admitted. The testimony was not available at the time the Report was issued. When it was later released, it came in such a verbal tidal wave that no one could compare it with the Report and vice versa. There was then and is now no logical way of following the testimony, comparing it with the Report that ostensibly comes from it or with the many but inadequate exhibits that are entirely chaotic and unclassified, unindexed and incomplete.

Thus, we know and can learn almost nothing about the man who helped build and for years, until his rather early retirement in his 52nd year, apparently in excellent health, successfully managed the Trade Mart. Fascinating, exotic and important as he may be, he is also one of the characters in this story about whom these files say least. They do not mention his right name -- not once!

He attracted the greatest attention to the Trade Mart when he was arrested on March 1, 1967, charged with conspiracy to commit murder in the assassination. He was first publicized in connection with the assassination in *Whitewash* where I brought him to light under the alias by which he was known to Dean Adams Andrews.

Andrews had been called as a witness but not heard in the first series of New Orleans hearings held April 7 and 8, 1964. Here, again, Wesley J. Liebeler took the essential testimony and examined, if this word is appropriate, the main witnesses. It is Liebeler who called but did not hear Andrews in April and who did on July 21, 1964. By this time, the month after the hearings had been scheduled to end, Carlos Bringuier and Nelson Delgado, among others, had testified. In these two instances also, the

testimony had been taken by Liebeler.

Andrews should have been the first or one of the first of the New Orleans witnesses. His testimony should have been used as the basis for interrogating other witnesses who, not surprisingly, were never called by the Commission.

So unique, so important, so unlike anything else in official proceedings of any kind Andrews testimony -- what Liebeler would allow, not what he could have dug out and did not -- that we shall examine it later in Andrews own words.

Many of the real-life characters in the real story of the assassination, only some of whom were witnesses before the Commission, are as unlikely as though they had been created by an unrestrained novelist. There are school dropouts with a yen for education and total recall, perjurers, police with convenient memories, strippers and a whore who need not have been one, psychiatrists patients and psychiatrists without current knowledge or information, mental deficient, narcotics addicts and those who beat the habit, homosexuals, degenerates, and the heads of government agencies and of the government itself.

In his own way, Dean Andrews is one of the more improbable ones. The years are rounding his short frame. He is a devoted father who takes his son to the New Orleans Athletic Club Sunday mornings to play handball with fellow lawyer -- and his personal lawyer Sam Monk Zelden, thus combining his responsibilities to his son and to his waistline. He is a politician who, at the time of the assassination, was running for Jefferson Parish judge (from a hospital bed for two-thirds of the last fortnight) in an election held Pearl Harbor Day and who, three-and-a-half-years later, at the time of the inquiry by his friend Jim Garrison, was assistant district attorney of that Parish whose then most famous or infamous resident had been David William Ferrie.

As a lawyer Andrews was true to the ethics and responsibilities of his profession, taking unpopular cases, including those of political and sexual deviates. This is what makes him part of the story of the assassination and of Oswald in New Orleans. It is doubtful if there was ever a lawyer in any

kind of official proceeding who employed fewer legal phrases or more slang. At times he had to translate himself so Liebler could understand him. On the stand or in court, he speaks as he does in private life, in the language of his less conventional clients. His speech is exotic, pungent and direct, having its own kind of rare expressiveness. Although flamboyant as Bourbon Street, his testimony was pointed, consistent, hard and unretracted despite the unhidden government dissatisfaction with it, apparent in Liebler's questioning as it was in the suppressed and unsuccessful FBI effort to get him and his associates to retract.

Instead of opening the New Orleans Investigation on April 7, 1964, as planned, with Andrews one of the first witnesses, Liebler delayed his appearance until, by the Commission's April design, the investigation would have been completed and the Report made. Not until July 21 was Andrews heard, not until the fiction of a New Orleans investigation was over. Although most witnesses were, from the record, requested by letter to testify, Andrews was subjected to the legal formality and the compulsion of a subpoena. The record shows no unwillingness on his part to testify or cooperate in any way. The problem he presented was a different one: He was anxious to testify and to place on record his belief in Oswald's innocence and the complicity of others. In this he remained steadfast under pressure most people are inclined to yield to, declining to be persuaded or intimidated into changing any of it.

To pretty it up a bit, because the government knew he could not, Andrews was commanded to bring with him:

All records, papers, notes and other documents in your possession or under your control pertaining to any possible representation of Lee Harvey Oswald by you during the period April 1, 1963 through December 31, 1963; including any such writings indicating that Oswald called in your office, either alone or in the company of others, or any such writings indicating any attempt which may have been made by any person including one Clay Bertrand to retain your services on behalf of Lee Harvey Oswald in connection with his involvement with the assassination of President John F. Kennedy and any other such writings pertaining to that assassination.

This is what is known as a *subpoena duces tecum*. If impelled by a desire to leave a record adverse to Andrews, it was, like so many other things that permeated everything the Commission did, a lemming-like compulsion to self-destruction, a record of duplicity. In naming only Oswald and Clay Bertrand in this confidential document, in not naming the man who used what the Attorney General himself, on March 2, 1967, said is the alias of Clay Bertrand, the Commission betrayed its own dishonesty and the intent of the investigation to pin a bum rap on Oswald, whom the public had already been bamboozled into thinking (or seeming to think) was alone, unassisted and alienated assassin, and to sweep everything else under the rug.

Knowing who Clay Bertrand really was -- and this knowledge was the entire defense of the government when Garrison made the identity public -- the Commission could not with honor and honesty avoid confronting Andrews with him, prior to the hearing or at it. Instead, knowing Andrews did not know who played Hyde to Bertrand's Jekyll, it pretended it also did not know. Nowhere in the millions of printed words is there the name of the man who went as Clay Bertrand. Nowhere in the 900 pages of the Report is his real name or his alias mentioned. Not once in the 15 printed pages of Andrews's interrogation and testimony (11H325-39) did Liebler hint at government knowledge of the identity.

After this all became public and the subject of banner headlines, front-page newspaper treatment, Liebler was quoted by Gene Roberts in the New York *Times* of March 3 as saying "that a 'very substantial' investigation by the Federal Bureau of Investigation" had been conducted in New Orleans. It is always someone else with Liebler.

As will be seen in the testimony that follows, Liebler used the FBI reports when they served his purpose. The very first thing he did after properly and briskly getting Andrews's identification into the record was to invoke the FBI:

Mr. Liebler: I am advised by the FBI that you told them that Lee Harvey Oswald came into your office some time during the summer of 1963. Would you tell us in your own words just what happened as far as that is concerned?

Mr. Andrews: I don't recall the dates, but briefly, It is this: Oswald came in the office accompanied by some gay kids. They were Mexicanos. He wanted to find out what could be done in connection with a discharge, a yellow paper discharge, so I explained to him he would have to advance the funds to transcribe whatever records they had up in the Adjutant General's office. When he brought the money, I would do the work, and we saw him three or four times subsequent to that, not in the company of the gay kids. He had this Mexicano with him. I assume he is a Mex because the Latins do not wear a butch haircut.

Mr. Liebeler: The first time he came in he was with those Mexicans, and there were also some gay kids. By that, of course, you mean people that appeared to you to be homosexuals?

Mr. Andrews: Well, they swish. What they are I don't know. We call them gay kids.

Mr. Liebeler: Had you ever seen any of those kids before?

Mr. Andrews: None of them.

Mr. Liebeler: Have you seen any of them since?

Mr. Andrews: Since the first time they came in?

Mr. Liebeler: Since the first time they came in.

Mr. Andrews: Yes.

Mr. Liebeler: You have?

Mr. Andrews: Yes

Mr. Liebeler: Did they ever come back with Oswald?

Mr. Andrews: No; Mexicanos came back.

Mr. Liebeler: Where did you see these gay kids after the first time?

Mr. Andrews: First district precinct. Police picked them up for wearing clothes of the opposite sex.

Mr. Liebeler: How many of them were there?

Mr. Andrews: About 50.

Mr. Liebeler: They weren't all with Oswald, were they?

Mr. Andrews: No; Oswald -- you see, they made what they call a scoop and put them all in the pokey. I went down for the ones I represented. They were in the holding pavilion. I paroled them and got them out.

Mr. Liebeler: You do represent from time to time some of these gay kids, is that correct?

Mr. Andrews: Yes.

Mr. Liebeler: You say that some of the gay kids that you saw at the time the police arrested this large group of them for wearing clothes of the opposite sex were the ones that had been with Oswald?

Mr. Andrews: Yes.

Mr. Liebeler: Were you able to identify them by name?

Mr. Andrews: No, you see, they just -- we don't even open up files on them. We don't open a file. We mark what we call a working file. We make a few notes and put it in the general week's work. If you come back and the office is retained, we make a permanent file and -- but these kids come and go like -- you know.

Mr. Liebeler: When were these people picked up by the police as you have told us?

Mr. Andrews: Let me think. Some time in May. I went and checked the records. I couldn't find nothing on it. I believe it's May of 1963.

Mr. Liebeler: They were picked up in May of 1963?

Mr. Andrews: On Friday.

Mr. Liebeler: That was after Oswald had been in your office?

Mr. Andrews: After Oswald's initial contact. I think he had come back with this

Mexicano one more time.

Mr. Liebeler: Before these people were arrested?

Mr. Andrews: Yes; then the second time he came back, we talked about the yellow paper discovery, about his status as a citizen, and about his wife's status.

Mr. Liebeler: Now before we get into that, let me try and pin down how long it was after the first time Oswald came in that these kids were arrested. All 50 of them for wearing these clothes?

Mr. Andrews: I don't know it was 50. That I can't remember.

Mr. Liebeler: Was it a month? Two months? A week?

Mr. Andrews: No; it wasn't that. Ten days at the most.

Mr. Liebeler: I suppose the New Orleans Police Department files would reflect the dates these people were picked up?

Mr. Andrews: I checked the first district's blotter and the people are there, but I just can't get their names. You see, they wear names just like you and I wear clothes. Today their name is Candy; tomorrow it is Butsie; next day it is Mary. You never know what they are. Names are a very improbable method of identification. More sight. Like you see a dog. He is black and white. That's your dog. You know them by sight mostly.

Mr. Liebeler: Do you remember what day it was that that large arrest was made?

Mr. Andrews: No; every Friday is arrest day in New Orleans. They clean them all up. The shotgun squad keeps the riots, the mugging, and all the humbug out. They have been doing that very effectively. You can pick just any Friday.

Mr. Liebeler: This was on a Friday?

Mr. Andrews: It had to be a Friday or Saturday.

Mr. Liebeler: In May of 1963?

Mr. Andrews: Yes.

Mr. Liebeler: After you saw these kids at this big pickup on Friday or Saturday, did you ever see any of them again after that?

Mr. Andrews: No until looking for them. They owe me a fee.

Mr. Liebeler: They are always the hardest ones to find.

Mr. Andrews: They usually pay. They are screwed in.

Mr. Liebeler: What did Oswald say to you about his own citizenship status? You say that he mentioned that the second time he came back. What did he talk to you about in that regard?

Mr. Andrews: They came in usually after hours, about 5, 5:15, and as I recall, he had alleged that he had abandoned his citizenship. He didn't say how; he didn't say where. I assumed that he was one of the people who wanted to join The Free World and -- I represented one or two of them. They had belonged to The World Citizenship -- I explained to him there are certain steps he had to do, such as taking an oath of loyalty to a foreign power, voting in a foreign country election, or some method that is recognized defectively as loss of citizenship. Then I told him, "Your presence in the United States is proof you are a citizen. Otherwise, you would be an alien with an alien registration with a green card, form 990."

Mr. Liebeler: Had he told you he had been out of the country?

Mr. Andrews: Yes.

Mr. Liebeler: Did he tell you where he had gone?

Mr. Andrews: No.

Mr. Liebeler: Since he had been out of the country, the fact that he was back and didn't have an alien card was proof he was a citizen?

Mr. Andrews: Yes.

Mr. Liebeler: Do you remember any other part of the conversation?

Mr. Andrews: When he asked the questions -- I don't know which visit it was -- about citizenship of his wife I asked the birthplace or origin cited for citizenship purposes -- that's what counts -- and he said Russia so I just assumed he had met someone somewhere, some place, either; in Russia or in Europe, married them, and brought them over here as a GI, a GI bride and wanted to go through the routine of naturalization, which is 3 years after lawful admission into the United States if you are married and five years if you are not, maintain the status here in the States cumulatively for 5 years.

Mr. Liebeler: Did he indicate that he wanted to institute citizenship proceedings for his wife?

Mr. Andrews: Yes: I told him to go to Immigration and get the forms. Cost him \$10. All he had to do was execute them. He didn't need a lawyer. That was the end of that.

Mr. Liebeler: How many times did he come into your office?

Mr. Andrews: Minimum of three, maximum of five, counting initial visit.

Mr. Liebeler: And did you talk about different subjects at different times? As I understand it, the first time he came there he was primarily concerned about his discharge is that correct?

Mr. Andrews: Well, I may have the subject matter of the visits reversed because with the company he kept and the conversation -- he could talk fairly well -- I figured that this was another one of what we call in my office free alley clients, so we didn't maintain the normalcy with the file that -- might have scratched a few notes on a piece of pad, and 2 days later threw the whole thing away. Didn't pay too much attention to him. Only time I really paid attention to this boy, he was in the front of the Madison Blanche Building giving out these kooky Castro things.

Mr. Liebeler: When was this approximately?

Mr. Andrews: I don't remember. I was coming from the NBC building, and I walked past him. You know how you see somebody, recognize him. So I turned around, came back, and asked him what he was doing giving that junk out. He said it was a job. I reminded him about the \$25 he owed the office. He said he would come over there, but he never did.

Mr. Liebeler: Did he tell you that he was getting paid to hand out the literature?

Mr. Andrews: Yes.

Mr. Liebeler: Did he tell you how much?

Mr. Andrews: No.

Mr. Liebeler: Do you remember telling the FBI that he told you that he was being paid \$25 a day for handing out these leaflets?

Mr. Andrews: I could have told them that. I know I reminded him of the \$25. I may have confused, the \$25. What I do recall, he said it was a job. I guess I asked him how much he was making. They were little square chits a little bit smaller than the picture you have of him over there (Indicating).

Mr. Liebeler: He was handing out these leaflets?

Mr. Andrews: They were black and-white pamphlets extolling the virtues of Castro, which around here doesn't do too good. They have a lot of guys, Mexicanos and Cubanitos, that will tear your head off if they see you fooling with those things.

Mr. Andrews: This is Oswald.

Mr. Liebeler: That's the fellow who was in your office?

Mr. Andrews: Yes.

Mr. Liebeler: Do you have any doubt about that in your mind?

Mr. Andrews: I don't believe; no. This is him. I just can't place it. This isn't where I saw

him. This is probably around the vicinity of the International Trade Mart.

Oswald did distribute his handbill outside the International Trade Mart a week later, on August 16, 1963.

Mr. Liebeler: (handing picture to witness). I show you another picture that has been marked for identification as "Bringuier Exhibit No. 1," and ask you if you recognize anybody in that picture and the street scene.

Mr. Andrews: Oswald is marked with an X, and a client of mine is over here on the right-hand side.

Mr. Liebeler: Is that a paying client or what?

Mr. Andrews: No; paying client (Indicating). And this dress belongs to a girl friend.

Mr. Liebeler: Which one is your client?

Mr. Andrews: It should be three. There's two sisters and this young lady (Indicating).

Mr. Liebeler: What's her name?

Mr. Andrews: I don't remember.

Mr. Liebeler: You are referring to the woman that appears on the far right-hand side of the picture with a handbag on her arm?

Mr. Andrews: Yes.

Mr. Liebeler: Now you say Oswald is marked with an X, and you identify that as the man that you saw in your office and the same man you saw passing out pamphlets?

Mr. Andrews: Yes.

Mr. Liebeler: I call your attention specifically to the second man who is standing behind Oswald to his right and facing toward the front wearing a white, short-sleeved shirt and necktie, who also appears to have some leaflets in his hand. Have you ever seen that man before?

Mr. Andrews: The Mexicano that I associate Oswald with is approximately the same height, with the exception that he has a pronounced short butch haircut. He is stocky, well built.

Mr. Liebeler: The fellow that I have indicated to you on "Bringuier Exhibit No. 1" in too slightly built to be associated with Oswald: is that correct?

Mr. Andrews: He is stocky. Has what they call an athletic build.

Mr. Liebeler: Was this other fellow taller than Oswald or shorter than Oswald?

Mr. Andrews: Very close. Not taller. Probably same height; maybe a little smaller.

Mr. Liebeler: How much would you say the Mexican weighed approximately?

Mr. Andrews: About 160, 165..

Mr. Liebeler: You say he was of medium build or heavy build?

Mr. Andrews: Well, stocky. He could go to "Fist City" pretty good if he had to.

Mr. Liebeler: How old would you say he was?

Mr. Andrews: About 26. Hard to tell.

Mr. Liebeler: Do you remember what he was wearing when he came into the office with Oswald on these different occasions?

Mr. Andrews: Normally, different colored silk pongee shirts, which are pretty rare, you know, for the beat, or what appeared to be pongee material.

Mr. Liebeler: Did you ever talk to this other fellow?

Mr. Andrews: Well, he talked Spanish, and all I told him was poco poco. That was it.

Mr. Liebeler: Do you speak Spanish?

Mr. Andrews: I can understand a little. I can if you speak it. I can read it. That's about all.

Mr. Liebeler (handing picture to witness). I show you a picture which has been marked "Frank Pizzo Exhibit No. 453-C," and ask you if that is the same man that was in your office and the same man you say was passing out literature in the street.

Mr. Andrews: It appears to be.

Mr. Liebeler: Would you recognize the Mexican again if you saw him?

Mr. Andrews: Yes.

Mr. Liebeler: Do you remember telling the FBI that you wouldn't be able to recognize him again if you saw him?

Mr. Andrews: Probably did. Been a long time. There's three people I am going to find: One of them is the real guy that killed the President; the Mexican; and Clay Bertrand.

Mr. Liebeler: Do you mean to suggest by that statement that you have considerable doubt in your mind that Oswald killed the President?

Mr. Andrews: I know good and well he did not. With that weapon, he couldn't have been capable of making three controlled shots in that short time.

Mr. Liebeler: You are basing your opinion on reports that you have received over news media as to how many shots were fired in what period of time; is that correct?

Mr. Andrews: I am basing my opinion on five years as an ordnance man in the Navy. You can lean into those things and with throwing the bolts -- if I couldn't do it myself, 8 hours a day doing this for a living constantly on the range, I know this civilian couldn't do it. He might have been a sharp marksman at one time, but if you don't lean into that rifle and don't squeeze and control constantly, your brain can tell you how to do it, but you don't have the capability.

Mr. Liebeler: You have used a pronoun in this last series of statements the pronoun "It." You are making certain assumptions as to what actually happened, or you have a certain notion in your mind as to what happened based on material you read in the newspaper?

Mr. Andrews: It doesn't make any difference. What you have to do is lean into a weapon, and, to fire three shots controlled with accuracy, this boy couldn't do it. Forget the President.

Mr. Liebeler: You base that judgment on the fact that, in your own experience, it is difficult to do that sort of thing?

Mr. Andrews: You have to stay with it. You just don't pick up a rifle or a pistol or whatever weapon you are using and stay proficient with it. You have to know what you are doing. You have to be conniver. This boy could have connived the deal, but I think he is a patsy. Somebody else pulled the trigger.

Mr. Liebeler: However, as we have indicated, it is your opinion. You don't have any evidence other than what you have already told us about your surmise and opinions about the rifle on which to base that statement; is that correct? If you do, I want to know what it is.

Mr. Andrews: If I did, I would give it to you. It's just taking the 5 years and thinking about it a bit. I have fired as much as 40,000 rounds of ammo a day for 7 days a week. You get pretty good with it as long as you keep firing. Then I have gone back after 2 weeks. I used to be able to take a shotgun, go on a skeet, and pop 100 out of 100. After 2 weeks, I could only pop 60 of them. I would have to start shooting again, same way with the rifle and machine guns. Every other person I knew, same thing happened to them. You just have to stay at it.

Mr. Liebeler: Now, did you see Oswald at any time subsequent to that time you saw him in the street handing out literature?

Mr. Andrews: I have never seen him since.

Mr. Liebeler: Can you tell us what month that was approximately?

Mr. Andrews: Summertime. Before July. I think the last time would be around -- the last could have been, I guess, around the 10th of July.

Mr. Liebeler: Around the 10th of July?

Mr. Andrews: I don't believe it was after that. It could have been before, but not after.

Mr. Liebeler: Now, you mentioned this Mexican that accompanied Oswald to your office. Have you seen him at any time subsequent to the last time Oswald came into your office?

Mr. Andrews: No.

Mr. Liebeler: Can you tell us approximately how long a period of time elapsed from the last time Oswald came into your office to the last time you saw him in the street handing out literature?

Mr. Andrews: I would say about 6 weeks, just guessing.

Mr. Liebeler: And you have never seen the Mexican at any other time since then?

Mr. Andrews: No. He just couldn't have disappeared because the Mexican community here is pretty small. You can squeeze it pretty good, the Latin community. He is not known around here.

Mr. Liebeler: Have you made an attempt to find him since the assassination?

Mr. Andrews: Yes.

Mr. Liebeler: And you haven't had any success?

Mr. Andrews: No. Not too many places they can go not being noticed.

Mrs. Sylvia Odio and others were pointed in referring to the involvement of men of Mexican, not Cuban, ancestry in the story of The False Oswald. There had been an immediate investigation -- of sorts -- which confirmed Mrs. Odio, then a belated, limited inquiry by the FBI. A month after Andrews's testimony, Commission General Counsel J. Lee Rankin asked the FBI to investigate, not the story of The False Oswald, not the Mexicans in that or Andrews's testimony, but Mrs. Odio's truthfulness. This investigation was not completed when the Report was printed and distributed, a month after Rankin's request. It would seem that at this point in Andrews's testimony Liebeler might well have shown him pictures of these various characters in The False Oswald; once the FBI did get pictures during the too-little and too-late investigation it ultimately did make. It had pictures of these men that were five years old, pictures taken at the Florida base where they trained Cubans for the invasion of Cuba, and perhaps, eventually, the contemporaneous Dallas police pictures it pretended did not exist although the men arrested in Dallas just before the assassination told the FBI what pictures the police took.

Perhaps Andrews could not have identified these men, perhaps he would not have been willing

to. There was but one way to learn, to show him pictures, and that was not done. Perhaps these were different men, but from Andrews's expressed determination to "find" the Mexican, there is no doubt he regarded the Mexican as an important person or clue.

It can still be done, and should be. He can then determine whether he is still willing, still unafraid.

In the testimony that follows, the "Hotel Dieu" is a hospital in New Orleans; Regis Kennedy, an FBI agent; and John Rice, the Special Agent in Charge of the New Orleans Secret Service office.

Mr. Liebeler: Was there anybody else with Oswald that day you saw him handing out literature?

Mr. Andrews: Oh, people standing there with him. Whether they were with him or not, I wouldn't know.

Mr. Liebeler: Did it appear that there was anybody else helping him hand out literature?

Mr. Andrews: There was one person, but they had no literature. They weren't giving anything out. Let me see that picture of that little bitty guy. That weasel before.

Mr. Liebeler: (handing pictures to witness). This is Bringuier Exhibit No. 1.

Mr. Andrews: No; he resembled this boy but it is not him. It is a pale face instead of a Latin.

Mr. Liebeler: When you talked to Oswald on the street that day, did he give you any idea who was paying him to hand the stuff out?

Mr. Andrews: No he just said, "It's a job."

Mr. Liebeler: My understanding is, of course, that you are here under subpoena and subpoena duces tecum, asking you to bring with you any records that you might have in your office indicating or reflecting Oswald's visit, and my understanding is that you indicated that you were unable to find any such records.

Mr. Andrews: Right. My office was rifled shortly after I got out of the hospital, and I talked with the FBI people. We couldn't find anything prior to it. Whoever was kind enough to mess my office up, going through it, we haven't found anything since.

Mr. Liebeler: You have caused a thorough search to be made of your office for these records?

Mr. Andrews: Yes.

Mr. Liebeler: You haven't been able to come up with anything?

Mr. Andrews: No.

Mr. Liebeler: Did there come a time after the assassination when you had come further involvement with Oswald, or at least an apparent involvement with Oswald; as I understand it?

Mr. Andrews: No nothing at all with Oswald. I was in Hotel Dieu, and the phone rang and a voice I recognized at Clay Bertrand asked me if I would go to Dallas and Houston -- I think -- Dallas, I guess, wherever it was that this boy was being held -- and defend him. I told him I was sick in the hospital. If I couldn't go, I would find somebody that could go.

Mr. Liebeler: You told him you were sick in the hospital and what?

Mr. Andrews: That's where I was when the call came through. It came through the hospital switchboard. I said that I wasn't in shape enough to go to Dallas and defend him and I would see what I could do.

Mr. Liebeler: Now what can you tell us about this Clay Bertrand? You met him prior to that time?

Mr. Andrews: I had seen Clay Bertrand once some time ago, probably a couple of years. He's the one who calls in behalf of gay kids normally either to obtain bond or parole for them. I would assume that he was the one that originally sent Oswald and the gay kids, these Mexicanos, to the once because I had never seen those people before at all. They were just walk-ins.

Mr. Liebeler: You say that you think you saw Clay Bertrand some time about 2 years prior to the time you received this telephone call that you have just told us about?

Mr. Andrews: Yes; he is mostly a voice on the phone.

Mr. Liebeler: What day did you receive the telephone call from Clay Bertrand asking you to defend Oswald?

Mr. Andrews: I don't remember. It was a Friday or a Saturday.

Mr. Liebeler: Immediately following the assassination?

Mr. Andrews: I don't know about that. I didn't know. Yes; I did. I

Mr. Liebeler: You had pneumonia; is that right?

guess I did because I was -- they told me I was squirrely in the hospital.

Mr. Andrews: Yes.

Mr. Liebeler: And, as I understand it, you were under heavy sedation at that time in connection with your treatment for pneumonia?

Mr. Andrews: Yes; this is what happened: After I got the call, I called my secretary at her home and asked her if she had remembered Lee Harvey Oswald's file. Of course, she didn't remember, and I had to tell her about all the kooky kids. She thought we had a file in the office I would assume that he would have called subsequent to this boy's arrest. I am pretty sure it was before the assassination. I don't know.

Mr. Liebeler: You don't mean before the assassination -- don't you mean before Oswald had been shot? After the assassination and before Oswald had been shot?

Mr. Andrews: After Oswald's arrest and prior to his --

Mr. Liebeler: His death?

Mr. Andrews: His death.

Mr. Liebeler: Now my recollection from reviewing reports from the FBI is that you first advised the FBI of this, telling them that you recall that Clay Bertrand had called you at some time between 6 o'clock and 9 o'clock in the evening and spoke to you about this matter. Do you remember telling the FBI about that?

Mr. Andrews: I remember speaking with them. The exact words, I do not but that's probably correct.

Mr. Liebeler: Do you remember what time approximately that Clay Bertrand did call you?

Mr. Andrews: I will tell you: They feed around 4:30. By the time I got fed, it was about 5 o'clock. They picked the tray up. So that's about the right time. It's around that time.

Mr. Liebeler: Now you told that after Clay Bertrand called you, you called your secretary and asked her if she remembered the Oswald file; Is that correct?

Mr. Andrews: Yes; she didn't remember Oswald at all. She knows what occasionally these people walk in and out of the office and she had remembered something, but nothing of any value.

Mr. Liebeler: And do you remember what after you got out of the hospital, you discussed with your secretary the telephone call that you made to her at home?

Mr. Andrews: Yes.

Mr. Liebeler: And do you recall that she said that she remembered that you called her at approximately 4 o'clock on the afternoon of November 23, 1963?

Mr. Andrews: Yes.

Mr. Liebeler: Now have you -- let's take it one step further: Do you also recall the fact that your private investigator spent most of that afternoon with you in your hospital room?

Mr. Andrews: Yes; he was there.

Mr. Liebeler: He was there with you?

Mr. Andrews: Yes; Preston M. Davis.

Mr. Liebeler: Do you remember approximately what time he left?

Mr. Andrews: No.

Mr. Liebeler: Would it have been before you called your secretary or afterwards?

Mr. Andrews: Yes.

Mr. Liebeler: Before you called?

Mr. Andrews: No, After.

Mr. Liebeler: After you called your Secretary?

Mr. Andrews: Let's see. He wasn't there when I made the phone call. He wasn't there when Clay Bertrand called me, I am pretty sure, because he would have remembered it if I didn't.

Mr. Liebeler: You discussed it and he doesn't, In fact, remember that you received the telephone call from Clay Bertrand?

Mr. Andrews: He wasn't there. While he was there, we received no call from Clay Bertrand or no call concerning the office or business because I would have talked to him about it.

Mr. Liebeler: You say that he left before you called your secretary?

Mr. Andrews: I think he left around chow time, which, I think around 4 o'clock. I could be wrong.

Mr. Liebeler: Now after giving this time sequence that we have talked about here the consideration that I am sure you have after discussing it with the FBI, have you come up with any solution in your own mind to the apparent problems that exist here? That is to say, that your recollection is that you called your secretary after you received the call from Clay Bertrand and you called your secretary at 4 o'clock, which would indicate that you must have received the call from Clay Bertrand prior to 4 o'clock, but you did not receive the call from Mr. Bertrand while Mr. Davis was there, and he left at approximately 4 o'clock or shortly before you called your secretary, in addition to which, you first recall receiving the call from Clay Bertrand some time between 6 o'clock and 9 o'clock in the evening.

Mr. Andrews: Well, the time factor I can't help you with. It is impossible. But I feel this: I wouldn't have called my secretary -- if I couldn't get her to verify It, I would tell you that I was smoking weed. You know sailing out on cloud 9.

Mr. Liebeler: But, in fact, she did verify the fact that you did call her?

Mr. Andrews: Yes; I often thought It was a nightmare or a dream, but it isn't. It's just that I can't place -- other than what I told Regis Kennedy and John Rice, the exact time I can't help you on. But if it hadn't been for calling her and asking her --

Mr. Liebeler: To look up the Oswald file or if she remembered the Oswald file?

Mr. Andrews: Yes; I would just say I have a pretty vivid imagination and let's just forget

it. Anything other than the law practice -- I would say that what Regis suspects is that I was full of that dope, but I normally take certain steps, and this is the way I would have done it is what I did. I called her. Had Davis been there when the call came in, Davis would have been told, and he would have left the hospital, went down to the office, and shook the office down for the file, and called me from there before he went home. I know it couldn't have come in while he was there. The only media of time that I can use is either medication or food. Of course, being fat, I like food. I wasn't much interested in food. They weren't feeding me too much, and I am pretty sure it was after medication and food and the tray had been picked up that the call came in.

Mr. Liebeler: Of course, they fed you more than once up there?

Mr. Andrews: They feed three times a day, but they don't feed you enough to keep a sparrow alive.

Mr. Liebeler: Well, in any event, you are not able to clarify for us the sequence of what happened?

Mr. Andrews: Well, the sequence of events had to be this: Davis spent Saturday afternoon with me. He probably left just before chow, and when I ate, and the phone call came in some time after chow. I am positive it wasn't as late as 9 o'clock. I think the latest it could have been is 6, but Miss Springer says I called her some time around 4, 4:30 -- I don't know which.

Mr. Liebeler: Miss. Springer is your secretary?

Mr. Andrews: Yes.

Mr. Liebeler: Now do you recall talking to an FBI agent, Regis L. Kennedy, and Carl L. Schlaeger on November 25?

Mr. Liebeler: Now --

Mr. Andrews: I don't remember -- Kennedy, yes, Schlaeger, no I don't even know if he was in the same room. I don't think I have even seen him much less talk to him.

Mr. Liebeler: Kennedy was; yes?

Mr. Andrews: Yes.

Mr. Liebeler: They usually go around in pairs?

Mr. Andrews: Well, they work in teams, so he's got to have been there.

Mr. Liebeler: Now Kennedy came and visited you at the hospital; Is that correct?

Mr. Andrews: Right.

Mr. Liebeler: Now --

Mr. Andrews: I remember that pretty good because I called the Feebees, and the guy says to put the phone, you know, and nothing happened.

Mr. Liebeler: The Feebees?

Mr. Andrews: That's what we call the Federal guys. All of a sudden like a big hurricane, here they come.

Mr. Liebeler: Do you remember telling him at that time that you thought that Clay Bertrand had come into the office with Oswald when Oswald had been in the office earlier last spring?

Mr. Andrews: No; I don't remember.

Mr. Liebeler: Was Bertrand ever in the office with Oswald?

Mr. Andrews: Not that I remember.

Mr. Liebeler: Do you have a picture in your mind of this Clay Bertrand?

Mr. Andrews: Oh, I ran up on that rat about 6 weeks ago and be spooked, ran in the street. I would have beat him with a chain if I had caught him.

Mr. Liebeler: Let me ask you this: When I was down here in April, before I talked to you about this thing, and I was going to take your deposition at that time, but we didn't make

arrangements, in your continuing discussions with the FBI, you finally came to the conclusion that Clay Bertrand was a figment of your imagination?

Mr. Andrews: That's what the Feebees put on. I know that the two Feebees are going to put these people on the street looking, and I can't find the guy, and I am not going to tie up all the agents on something that isn't that solid. I told them, "Write what you want, that I am nuts. I don't care." They were running on the time factor, and the bills were shook up plenty to get it, get it, get it. I couldn't give it to them. I have been playing cops and robbers with them. You can tell when the steam is on. They are on you like the plague. They never leave. They are like cancer. Eternal.

Mr. Liebeler: That was the description of the situation?

Mr. Andrews: It was my decision if they were to stay there. If I decide yes, they stay. If I decide no, they go. So I told them, "Close your file and go some place else." That's the real reason why it was done. I don't know what they wrote in the report, but that's the real reason.

Mr. Liebeler: Now subsequent to that time, however, you actually ran into Clay Bertrand in the street?

Mr. Andrews: About 6 weeks ago. I am trying to think of the name of this bar. That's where this rascal bums out. I was trying to get past him so I could get a nickel in the phone and call the Feebees or John Rice, but he saw me and spooked and ran. I haven't seen him since

Mr. Liebeler: Did you talk to him that day?

Mr. Andrews: No; if I would have got close enough to talk to him, I would have grabbed him.

Mr. Liebeler: What does this guy look like?

Mr. Andrews: He is about 5 feet 8 inches. Got sandy hair blue eyes ruddy complexion. Must weigh about 165, 170, 175. He really took off, that rascal.

Mr. Liebeler: He recognized you?

Mr. Andrews: He had to because if he would have let me get to that phone and make the call he would be in custody

Mr. Liebeler: You wanted to get hold of this guy and make him available to the FBI for interview, or Mr. Rice of the Secret Service?

Mr. Andrews: What I wanted to do and should have done is crack him in the head with a bottle, but I figured I would be a good, law-abiding citizen and call them and let them grab him, but I made the biggest mistake of the century. I should have grabbed him right there. I probably will never find him again. He has been bugging me ever since this happened.

Mr. Liebeler: Now before you ran into Clay Bertrand in the street on this day, did you have a notion in your mind what he looked like?

Mr. Andrews: I had seen him before one time to recognize him.

Mr. Liebeler: When you saw him that day, he appeared to you as he had before when you recognized him?

Mr. Andrews: He hasn't changed any appearance, I don't think. Maybe a little fatter, maybe a little skinnier.

Mr. Liebeler: Now I have a rather lengthy report of an interview that Mr. Kennedy had with you on December 5, 1963, in which he reports you as stating that you had a mental picture of Clay Bertrand as being approximately 6 feet 1 inch to 6 feet 2 inches in height, brown hair, and well dressed.

Mr. Andrews: Yes.

Mr. Liebeler: Now this description is different, at least in terms of height of the man,

than the one you have just given us of Clay Bertrand.

Mr. Andrews: But, you know, I don't play Boy Scouts and measure them. I have only seen this fellow twice in my life. I don't think there is that much in the description. There may be some to some artist, but to me, there isn't that much difference. Might be for you all

Mr. Liebeler: I think you said he was 5 feet 8 inches before.

Mr. Andrews: Well, I can't give you any better because the time I was looking for the fellow, he was sitting down. I am just estimating. You meet a guy 2 years ago, you meet him, period.

Mr. Liebeler: Which time was he sitting down?

Mr. Andrews: He was standing up first time.

Mr. Liebeler: I thought you met him on the street the second time when you --

Mr. Andrews: No, he was in a barroom.

Mr. Liebeler: He was sitting in a chair when you saw him 6 weeks ago?

Mr. Andrews: A table at the right-hand side. I go there every now and then spooking for him.

Mr. Liebeler: What's the name of the bar you saw him in that day, do you remember?

Mr. Andrews: Cosimo's used to be. Little freaky joint.

Mr. Liebeler: Well, now, if you didn't see him standing up on that day --

Mr. Andrews: No.

Mr. Liebeler: So that you didn't have any basis on which to change your mental picture of this man in regard to his height from the first one that you had?

Mr. Andrews: No.

Mr. Liebeler: I am at a loss to understand why you told Agent Kennedy on December 5 that he was 6 feet 1 to 6 feet 2 and now you have told us that he was 5 feet 8 when at no time did you see the man standing up.

Mr. Andrews: Because, I guess, the first time -- and I am guessing now --

Mr. Liebeler: Is this fellow a a homosexual, do you say?

Mr. Andrews: Bisexual. What they call a swinging cat,

Mr. Liebeler: And you haven't seen him at any time since that day?

Mr. Andrews: I haven't seen him since.

Mr. Liebeler: Now have you had your office searched for any records relating to Clay Bertrand?

Mr. Andrews: Yes.

Mr. Liebeler: Have you found anything?

Mr. Andrews: No; nothing.

Mr. Liebeler: Has this fellow Bertrand sent you business in the past?

Mr. Andrews: Prior to -- I guess the last time would be February of 1963.

Mr. Liebeler: And mostly he refers, I think you said, these gay kids, is that right?

Mr. Andrews: Right.

Mr. Liebeler: In discussing this matter with your private detective, Mr. Davis, and Miss. Springer, your secretary, have you asked them whether or not they have any recollection of ever having seen Oswald in the office?

Mr. Andrews: Davis does; Springer doesn't.

Mr. Liebeler: Davis does have a recollection?

Mr. Andrews: Yes; he recalls. He usually stays with me until about closing time. We review whatever he is doing, and he remembers them as a group.

Mr. Liebeler: So he was there then the first time they were there? The only time that he was with a group is the first time, is that right?

Mr. Andrews: Right.

Mr. Liebeler: Have you discussed with Miss. Springer and Mr. Davis the whereabouts or any recollection they might have about Clay Bertrand?

Mr. Andrews: They weren't with me, I believe, at the time I knew,

Mr. Liebeler: Have you discussed it with them?

Mr. Andrews: Yes; but they weren't employed by me at the time I knew him.

Mr. Liebeler: So they have no recollection of Bertrand?

Mr. Andrews: No.

Mr. Liebeler: When Oswald came into your office, of course, he told you what his name was, didn't he?

Mr. Andrews: Lee Oswald. I don't know whether that's his name or not.

Mr. Liebeler: But that's what he told you?

Mr. Andrews: That's what he told me.

Mr. Liebeler: Do you remember discussing or mentioning his name to Davis at any time prior to November 23, 1963?

Mr. Andrews: What the procedure is -- I am in a different office now than I was then, and it was a very small office, and they would come into it -- well, what I would call my office and they just had the reception room out in the front, and Davis would go out there, and on those matters, it's not a matter that he would be discussing, but probably some word; passed as to the swishing and the characteristics that they had, but other than that in the business, unless something is assigned to him, he knows nothing in that office unless it is assigned to him.

Mr. Liebeler: So you say you probably did not mention Oswald's name

Mr. Andrews: I probably did not, other than we commented on the group in general, but none of the business that was involved or any names.

Mr. Liebeler: Is it an extraordinary thing for a bunch of gay kids to come into your office like that, or did they come from time to time?

Mr. Andrews: Well, let's see. Last week there were six of them in there. Depends on how had the police are rousing them. They shoo them in. My best customers are the police. They shoo them into the office, God bless the police.

Mr. Liebeler: Did you ever know a man by the name of Kerry Thornley as one of these gay kids?

Mr. Andrews: No.

Mr. Liebeler: Have you ever heard of Thornley?

Mr. Andrews: No; I represent them and that's about all there is to it. When they owe me money, I know where to go grab them, and that's about as far as it goes. Is he supposed to be down here?

Mr. Liebeler: Thornley?

Mr. Andrews: Yes; I can find out if he ever made the scene here real easy.

Mr. Liebeler: No; he is not in Nev Orleans, I don't think, at the moment. When Oswald told you about his discharge, did he tell you what branch of the service he had been in?

Mr. Andrews: No.

Mr. Liebeler: Did he tell you why he got discharge?

Mr. Andrews: No.

Mr. Liebeler: Did he tell you what kind of a discharge he had?

Mr. Andrews: He told me he was dishonorably discharged. That's what I call a yellow sheet discharge. I told him I needed his serial number, the service he was in, the approximate time he got discharged, and, I think \$15 or \$25, I forget which, and to take the service, or rate or rank, the serial number, and to write to the Adjutant General for

the transcript of the proceedings that washed him out so that they could be examined and see if there was any method of reopening or reconsideration on the file.

Mr. Liebeler: But he did not tell you any of those things?

Mr. Andrews: No; he said he would come back, and he came back, but I still didn't get his serial number and I still didn't get the money.

Mr. Liebeler: Do you remember specifically that he stated he had a dishonorable discharge as opposed to some other kind of discharge? Do you have a specific recollection on that?

Mr. Andrews: We call them in the Navy, B.C.D.'s and I associated that. He never mentioned the specific type discharge. It was one that was other than honorable, as we would put it in the legal sense. I just assumed it was a B.C.D. If he was in the Marines or Navy. If he was in the Army, it's a yellow discharge.

Mr. Liebeler: Did he tell you if he was working at that time or if he had a job when he first came into your office?

Mr. Andrews: Never asked him.

Mr. Liebeler: Did he associate his other than honorable discharge with difficulty in obtaining employment?

Mr. Andrews: I just don't remember. He had a reason why he wanted it reopened. What, I don't recall. He had a reason. I don't recall he mentioned a reason, but I don't recall. I was trying to remember where they were seated to see if that would help, but no.

Mr. Liebeler: Tell me approximately how tall Oswald was.

Mr. Andrews: Oh, about 5 feet 6 inches, 5 feet 7 inches, I guess.

Mr. Liebeler: And about how much did he weigh?

Mr. Andrews: About 135, 140.

Mr. Liebeler: I don't think I have any more questions. Do you have anything else that you would like to add?

Mr. Andrews: I wish I could be more specific, that's all. This is my impression for whatever it is worth, of Clay Bertrand: His connections with Oswald I don't know at all. I think he is a lawyer without a brief case. That's my opinion. He sends the kids different places. Whether this boy is associated with Lee Oswald or not, I don't know, but I would say, when I met him about 6 weeks ago when I ran up on him and he ran away from me, he could be running because he owes me money, or he could be running because they have been squeezing the quarter pretty good looking for him while I was in the hospital, and somebody might have passed the word he was hot and I was looking for him, but I have never been able to figure out the reason why he would call me, and the only other part of this thing that I understand, but apparently I haven't been able to communicate, is I called Monk Zelden on a Sunday at the N.O.A.C. and asked Monk if he would go over -- be interested in a retainer and go over to Dallas and see about that boy. I thought I called Monk once. Monk says we talked twice. I don't remember the second. It's all one conversation with me. Only thing I do remember about it, while I was talking with Monk, he said, "Don't worry about it. Your client just got shot." That was the end of the case. Even if he was a bona fide client, I never did get to him; somebody else got to him before I did. Other than that, that's the whole thing, but this boy Bertrand has been bugging me ever since. I will find him sooner or later.

Mr. Liebeler: Does Bertrand owe you money?

Mr. Andrews: Yes; I ain't looking for him for that, I want to find out why he called me on behalf of this boy after the President's assassination.

Mr. Liebeler: How come Bertrand owes you money?

Mr. Andrews: I have done him some legal work that he has failed to pay this office for.

Mr. Liebeler: When was that?

Mr. Andrews: That's in a period of years that I have -- like you are Bertrand. You call up and ask me to go down and get Mr. X out. If Mr X doesn't pay on those kinds of calls, Bertrand has a guarantee for the payment of appearance. One or two of these kids had skipped. I had to go pay the penalty, which was a lot of trouble.

Mr. Liebeler: You were going to hold Bertrand for that?

Mr. Andrews: Yes.

Mr. Liebeler: Did Oswald appear to you to be gay?

Mr. Andrews: You can't tell. I couldn't say. He swang with the kids He didn't swish, but birds of a feather flock together. I don't know any squares that run with them. They may go down to look

Mr. Liebeler: When you say he didn't swish, what do you mean by that?

Mr. Andrews: He was not effeminate; his voice isn't squeaky, he didn't walk like or talk like a girl; he walks and talks like a man

Mr. Liebeler: Did you notice anything about the way he walked? Was there anything striking about the way he carried himself?

Mr. Andrews: I never paid attention. I never watched him walk other than into and out of the office. There's nothing that would draw my attention to anything out of the ordinary, but I just assumed that he knew these people and was running with them. They had no reason to come The three gay kids he was with, they were ostentatious. They were what we call swishers. You can just look at them. All they had to do was open their mouth. That was it. Walk, they can swing better than Sammy Kaye They do real good. With those pronounced ones, you never know what the relationship is with anyone else with them, but I have no way of telling whether he is gay or not, other than he came in with what they call here queens. That's about it.

Mr. Liebeler: You have never seen any of these people since that first day they came into your office with Oswald, that first day and when you saw them down at the police station?

Mr. Andrews: The three queens? The three gay boys? No; I have never seen them.

Mr. Liebeler: There were just three of them?

Mr. Andrews: The Latin type. Mexicanos will crop their hair and a Latin won't, so I assume he is a Mex.

Mr. Liebeler: So altogether there were five of them that came into the office?

Mr. Andrews: Five. The only other thing that shook me to my toes -- you have the other part -- the Secret Service brought me some things They don't have the complete photograph. They have another photograph with the two Realpey sisters. They are actually in the office, and that shook me down to my toes pretty good.

Mr. Liebeler: (handing picture to witness). The picture you refer to might be Pizzo Exhibit No. 453-B. Is that the one?

Mr. Andrews: Yes, this it. Victoria Realpey-Plaza and her sister Marguerite Realpey-Plaza, and I can't recall this young lady's name here at all (Indicating).

Mr. Liebeler: You are pointing to the three women who are standing --

Mr. Andrews: The one facing, standing as you look at it.

Mr. Liebeler: That's the one you can't identify?

Mr. Andrews: Yes; I have her file in the office. Uncle is a warden at the Parish Prison here In New Orleans.

Mr. Liebeler: And you are referring to the three women that are standing at the right side of Pizzo Exhibit No. 453-B?

Mr. Andrews: The girl carrying the pocketbook.

Mr. Liebeler: That's the one whose name you can't remember at the moment?

Mr. Andrews: Right.

Mr. Liebeler: Now this little fellow standing on the far left side of the picture, have you ever seen him before? Is he one of those gay boys who were in the office?

Mr. Andrews: No; these were all Americanos, these boys. He may be, but he is Latin looking.

Mr. Liebeler: He looks like a Latin?

Mr. Andrews: Right. This boy should be able to be found. I wanted to look for him but I didn't have a picture of him.

Mr. Liebeler: Who is that?

Mr. Andrews: The one you just asked me about. If you put some circulars around to have the Latin American people squeezed gently, he has got to be found. They are very clannish. There are only certain places they go. Somebody has to remember him. He can't just come into New Orleans and disappear. As long as he walks the street, he has to eat and he has to have some place to sleep and -- but I didn't have a picture of him, and nobody -- you just can't do it. But a lot of water has run under the stream. He may or may not be here, but it wouldn't be too hard to locate him, you know, with the proper identification.

Mr. Liebeler: Well, your friends down the street have been trying to find him and haven't come up with him yet.

Mr. Andrews: Debrueys?

Mr. Andrews: Sometimes the stools on that are not too good. They need Latin stools for that boy.

Mr. Liebeler: Off the record. (Discussion off the record.)

Mr. Liebeler: Did you just indicate that you would like to find Mr. Bertrand and he did run off? Did you see him run off?

Mr. Andrews: Yes; I chased him, but I couldn't go.

Mr. Liebeler: This was when you saw him 6 weeks ago?

Mr. Andrews: Yes this barroom is right adjacent to -- the street -- as you go in, there are two entrances, one on the block side and one on the corner. I had no more idea of finding him than jumping off the bridge. I went in there hoping, and the hope came through. I was so surprised to see him there. I kept working my way there to go to the front when he recognized me and he sprinted out the door on the side of the street and was gone. I had to go past him to go to the phone. I should have conked him with the beer bottle.

Mr. Liebeler: He took off as soon as he saw you?

Mr. Andrews: No; but I was moving to go to the phone. He thought I was moving towards him.

Mr. Liebeler: (handing picture to witness). I show you Pizzo Exhibit No. 453-A and ask you if you can recognize anybody in that picture.

Mr. Andrews: The one that has a brief case under his arm, full face towards the looker, appears to be Lee Oswald. This boy back here (indicating) appears to be familiar, but I would have to blow his face up to be sure. He is in between. See, this one here (indicating) ? I have never seen this picture before.

Mr. Liebeler: Between Oswald, who has the cross mark over his head and the man who has the arrow over his head?

Mr. Andrews: He is a local boy here, a face I recall. It would take me a while to place it, but the face appears to be familiar.

Mr. Liebeler: You haven't seen this picture before, is that correct?

Mr. Andrews: I don't believe.

Mr. Liebeler: The Secret Service and the FBI have shown you various pictures, but you don't recall this one?

Mr. Andrews: I don't recall seeing that one. There was one of a series where -- one of an attorney in town was there -- where we all knew him. They may have shown me this, but I don't remember. We used to have a club back in 1946 called Lock (?) Fraternity, and he resembles a boy that was a member.

Mr. Liebeler: I don't think I have any more questioning, Mr. Andrews. I want to thank you very much for coming in and I appreciate the cooperation you have given us.

Mr. Andrews: I only wish I could do better.

Andrews could have done better, if Wesley Liebeler had wanted him to do better. Liebeler had some of the names and reports Andrews did not recall. But like the FBI before it, the Commission wanted only not to believe Andrews. By the time the members of the Commission read his deposition (as I assume they did), their minds had been fixed, if not poisoned, by the mass of prejudice in which they were submerged.

The job was done on Andrews when the deposition transcript showed conflicts between his sworn testimony and the Secret Service and FBI reports of their interviews with him. In a court these conflicts are resolved by the production of witnesses who can go to jail if they are untruthful. In a court each of the Secret Service and FBI agents would have been subject to direct and cross-examination. In this investigation, very few agents in all were called. Not one of those who questioned Andrews was a witness.

Had there ever been any possibility that Andrews's testimony could have led to further investigations, and those really familiar with the Commission's record and procedures know there never was any such intention, certainly no probability of it, the late time it was taken, again not an accident, effectively precluded it. The Commission had originally intended to finish its work by the end of June. It did hand its 900 page Report to the President two months after Andrews testified. In those two months this massive document had to be written or in part rewritten, checked, edited, footnoted, indexed, set in type, proofread, printed and bound. Long before it heard a single word from Andrews, the Commission was engaged in ending, not starting, lines of inquiry.

It never wanted any evidence that did not tend to show Oswald was the solitary murderer. It

never seriously looked for any. It avoided almost all the obvious proofs of the error of the doctrine with which it undertook its task. That it ignored Andrews's testimony and the inevitable shocking disclosures, had it been pursued, is in line with standard Commission practice and policy.

It is in no way exceptional.

Moreover, there are quite a few Andrews-Bertrand exhibits that could have been printed in the millions of words the Commission did publish. The extent of what is still suppressed is unknown, but there is a considerable amount that I have obtained. Examination of it may indicate why the Commission did not make it public.

One of these is from File 87. It is another report by Rice, dated December 3, 1963. It makes reference to some of what had been doctored out of Exhibit 3104, that it was not until a week after the assassination that "Deputy Chief (of the Secret Service) Paul J. Paterni" on November 29, 1963, "instructed that complete investigation be made in New Orleans covering Lee Harvey Oswald's employment, education, background, associations, bank accounts, etc., also addresses " This report is listed under two headings, "Oswald, Lee H., Post Russian Period 2-3" and "Other Individuals and Organizations Involved or Interviewed." Neither reflects any special interest in anti-Castro Cuban groups. Rather than showing that an investigation of any of these Cuban groups was contemplated, this document indicates they were the source of the Secret Service's information, that the Secret Service trusted them and depended upon them. When it wanted a tape of the Oswald-Bringuier debate, it did not go to Radio Station WDSU or its reporter, Bill Stuckey, or to the Information Council of the Americas," which staged it. Rice "secured the tape from Carlos Bringuier."

Paterni knew about this debate "from the' mother-in-law of Arnesto Rodriguez who operates a Spanish language school in New Orleans." Rice reported "that Arnesto Rodriguez was in the process of furnishing us with a copy of transcription of the tape, from which copies would be made immediately." Aside from the question of how many generations removed from the original this "transcription" was and whether or not there conceivably might have been some tampering with the tape -- and there was -- why

did the Secret Service have to indebt itself to those it should have been investigating?

Secret Service Agent Vial identified two Arnesto Rodriguezes, father and son, as authorized to sign checks for two groups, "The Crusade to Free Cuba" and the "Cuban Revolutionary Council" -- the latter being the return address on some of Oswald's literature. Rice drafted a lengthy report, for himself, Gerrets and Counts, covering their investigations between December 1-5. Much of the information in it comes from Rodriguez Sr. It reveals how the Secret Service permitted him to focus their attention where he desired, like the mother-in-law. As Bringuier was later to do with Liebler and quite possibly had already done with others by this time, Rodriguez directed the investigation.

The Commission put a transcript of this tape into evidence as "Stuckey Exhibit No. 3" (21H633-41). Albert Jenner conducted the interrogation at the Commission's offices in Washington on June 6, 1964 (11H156-78). He entered into evidence as "Stuckey Exhibit No. 2" a transcript of Stuckey's earlier interview with Oswald and identified it as having been supplied by Stuckey (11H163). When he got to the debate transcript (11H169), Jenner identified it as being from Commission File 87b. He then said, "We have obtained from the radio station, WDSU, a duplicate of this tape itself." He did not say who made the transcript or from what tape. Stuckey claimed it was "very unfair" because an unnamed "these people" had "put in all of Oswald's hesitations, his 'er's', and that sort of thing." Jenner's rejoinder leaves something to be desired. He said, before going on to other matters, merely, "I will say it is a transcript."

A transcript it is, but *whose* and of whose tape?

File 87b is one of five very large ones that constitute a massive early January Secret Service report. From this it would seem that the source of this debate used by Jenner is Cuban.

Hal Verb, a West Coast writer and researcher, has obtained a literal transcription of this tape. In his testimony Stuckey (11H169) seems to identify the Commission's version as having been distributed by the Associated Press. Verb's copy, which I have, came from the electronic media.

One paragraph is of particular interest. As printed by the Commission (21H639), it has but a

single "er." In the original there are eight. But the Commission version has something added to replace these missing seven "er's," something that changes the sense entirely. Here is the Commission version:

Oswald: Well, as I er, well -- I will answer that question directly then as you will not rest until you get your answer. I worked in Russia I was not under the protection of the -- that is to say I was not under protection of the American (sic) government. but as I was, at all times considered an American citizen I did not lose my American citizenship.

Hal Verb's transcript, which is confirmed by an actual tape I had, is as follows:

Oswald: Er, well, as I er, well, I will answer that question directly then as you will not rest until you get your answer er, I worked in Russia er, I was er under the protection er, of the er, that is to say I was not under protection of the American government but as I was at all times er, considered an American citizen. I did not lose any American citizenship.

That's quite a swap -- seven "er's" for one "not." This swap is exactly what Stuckey called it, "very unfair" -- not because of a disparity in the weight or values of "er's" as compared with "not's" but because of the 180 degree change in the meaning of Oswald's statement. He actually slipped and said, "I was, er, under the protection of the" American government, then corrected himself. The Commission's editing here has him saying, "I was not under the protection of the American government."

With the connections of the Cuban groups in New Orleans and elsewhere with the American government and the assassination, this is quite a change. It certainly is interesting in that its possible source, from this unpublished Secret Service "Andrews" report, is these same Cuban groups, especially Carlos Bringuier, who had known Oswald and was his opponent in the debate. If anyone knew what Oswald had really said, it is the sharp Bringuier.

File 126 has a collection of "Andrews-Bertrand" reports. They are consistent with Andrews's testimony and with the tendentious and disputatious character of the other reports. Pages 21-5 are the December 3 account of FBI Agents Kennedy and Reed W. Jensen of their lengthy interview that day. In

the most intimate detail it says what Andrews testified to seven months later. But it also argues against what he said, revealing the basis of his complaint to Liebler that he just had to get rid of the agents, who were pestering him -- the technique repeatedly used by the FBI.

This report identifies a witness to the Oswald-International Trade Mart handbill distribution. Her name was known to Andrews, obviously, because in his testimony he described her as a "client," although he could not recall it. She is an employee of M. L. Queen, Room 338 of the Trade Mart. Her name is Clemencia Almeida. She then lived at 929 Gravier Street. She was never called as a witness. Her name is not mentioned in the Report. It is not, in fact, mentioned a single time in the 15 large volumes of testimony. The two Realpey Plaza (sic) sisters Andrews did identify are not mentioned elsewhere.

This report is also the beginning of the FBI effort to make Andrews recant, the effort to undermine what he wanted the government to know, what could have and should have changed the entire course of the so called investigation of the assassination, the Report and subsequent history. At the top of page 25 it reads:

Mr. ANDREWS requested at the end of the interview that this entire incident could have been dreamed by him in view of the physical condition he was in at that time.

Pointing up the consciousness of selection in what was printed, the conscious act of those on the staff who decided what to include in the record and what to suppress from it, the brief Bucaro reports quoted above, Exhibit 2899, come next, pages 27-30. Then comes the Kennedy report about which Liebler needled Andrews. It is four pages long. The interview was on December 5. The report was dictated and typed the next day. It is undiluted poison. It begins in the first paragraph by saying that Andrews "had verified from his physician that he was under extremely heavy sedation," which is a considerable exaggeration. All he got, as page 27 proves, is phenobarbital. Next, it quotes him as saying that, as a result of his conversations with Davis and his secretary (neither of whom was called as a

witness), "he has determined that there are a number of variances in his independent recollections" and those of his employees, which is also not less than a major exaggeration, for they confirm his statements in even the biased versions of the FBI.

Kennedy goes on and on this way. On page 32 he quotes Andrews as saying of himself he was "obviously out of his mind . . ." On this same page 18 a repetition of the canard about the search of the files. "He advised that after a careful and extensive search of his files he has been unable to locate the name CLAY BERTRAND . . ." This is followed by an argument entirely at odds with reality as Andrews testified to it, that he could not have accepted a case brought in by Bertrand because, "what authority did Bertrand have?"

The exaggeration of the amount of sedation administered to Andrews is repeated before the close of the report. The second paragraph of the last page emphasizes, with no more concern for accuracy, "Andrews advised that his physician has confirmed to him that he was a very sick man and under extremely heavy sedation and in fact, told him that he was not physically able to use the telephone."

Here Kennedy was swept away by his dedication, for that Andrews "was not physically able to use the telephone" is a redundant lie. He did call Sam "Monk" Zelden twice, each of his employees, the Secret Service and a TV station! Of the fact of this, well known to Kennedy, the FBI and the Commission staff, there is not now and never has been any question.

In *Whitewash* where for the first time Andrews's sensational testimony was brought to public light and its probable meaning set forth, I pointed out that one simple way of confirming part of his testimony or disproving it would have been to call Zelden as a witness and ask him if Andrews had phoned to request him to defend Oswald. This was not done. Had Wesley J. Liebeler been dedicated to the integrity of the Commission's information, if not its completeness, he need not have called Zelden as a witness. He might have done as he and most of the Commission's other lawyers did for a short-cut when it served their purposes. He could have used an FBI report instead of Zelden.

Kennedy and Claude L. Schlaeger did interview Zelden immediately, the very first weekday,

November 25. He told them, in their own words, that the day before, when Andrews phoned him to ask that he represent Oswald, "ZELDEN advised that he was surprised and not interested in defending OSWALD and he told ANDREWS that he would have to think about it and about this time he heard on television that Oswald had been shot." This is exactly, not approximately but exactly, what Andrews, despite his "extremely heavy sedation," said, that Zelden heard the news of Oswald's murder while they were talking.

Liebeler's reason for omitting all mention of this in his lengthy interrogation of Andrews and the Commission reason for not finding space for these 140 words of this brief report among the millions it printed are obvious and not suggestive of an honest, unbiased search for the truth or an assassin or with professional integrity.

When he questioned Andrews about the difference in Bertrand's estimated height standing and sitting, Liebeler referred to this particular Kennedy report.

Kennedy drafted his December 5 report with the skill of a novelist. One can imagine its impact on those who read it and its possible effect on the entire course of the investigation. Nor is he without knowledge of literary devices. Still again he emphasized that "sedation," saying Andrews admitted that what he had said "under sedation" was "a figment of his imagination."

Despite Kennedy's best effort and they were very good -- there persists in this report Andrews's reiteration of what he had said before, with not a single detail in conflict with his previous statements to the FBI or Secret Service or his subsequent testimony. Considering that Regis Kennedy, FBI agent, drafted this report, what I have said is a not inconsiderable endorsement of Andrews's recollection and its integrity.

The next three pages of this file actually confirm Andrews. They are printed by the Commission as Exhibits 2900 and 2901 in an effort to refute him, and they are in this manner invoked by the Commission. The truth is contrary. Note also that these are part of a series, beginning with Exhibit 2899, that represents a prejudicial culling of the file in which what is hurtful to the argument of the

Commission and would help establish the truth and reveal the way the FBI works is what is suppressed from the printed record.

The account of what Investigator Davis told Kennedy on December 5 begins and ends with the same deception about the files:

He advised that he and ANDREWS have spent hours looking through the files and discussing with each other and ANDREWS' secretary, EVA SPRINGER, the various aspects of the call received from CLAY BERTRAND and he has no doubt that ANDREWS is now convinced that the call he received at the hospital was a dream . . . DAVIS advised that he has extensively searched ANDREWS' office for information which would identify CLAY BERTRAND and has been unsuccessful in locating any record.

But even Kennedy could not totally hide the affirmation of Oswald's visit to Andrews's office about his discharge and Marina's immigration status. Davis recalled that it was in June, exactly what Andrews independently said, what it was about, that Andrews had told him "on various occasions that an individual named OSWALD had been in ANDREWS' office," and that Oswald's face is "familiar."

In a too superficial questioning of Eva Springer, she confirmed Andrews's phone call to her from the hospital about defending Oswald, her reaction ("she was not going to Dallas with him and she wanted nothing to do with the case"), and his mention of the name "Bertrand," with no first name.

While "she does not recall LEE HARVEY OSWALD," which is not surprising, because Andrews had made it clear Oswald, with or without his "gay" companions, always came to the office after work, when she was not in the office, "she recalls ANDREWS speaking to her briefly" about the discharge.

Neither of these reports, on analysis, is the denial of Andrews's testimony that the Commission pretends. Each, despite the dissembling and distortion of the FBI, constitutes support and reinforcement of his statements.

For its own and not presently clear reasons, the FBI included this and what follows in an entirely

different file identified in the Commission's records as No. 75.

Kennedy had interviewed Davis earlier. On November 27 (page 195) he filed a report that in its entirety reads:

R. M. DAVIS, investigator for DEAN ANDREWS, attorney-at-law, Audubon Building, New Orleans, Louisiana, advised upon the instruction of his employer, DEAN ANDREWS, he has made extensive searches of the files of ANDREWS' office, and has been unable to locate any record of CLAY BERTRAND or any record of a LEE HARVEY OSWALD. He advised that he recalled OSWALD visiting ANDREWS' office and ANDREWS had mentioned to him that OSWALD was desirous of obtaining a hearing on his bad conduct discharge from the U.S. Marine Corps. DAVIS advised that he could not recall or identify any of the individuals with whom OSWALD had come to the office.

This is hardly an investigation or the report of an investigation. Nor is it what Kennedy soon thereafter represented Davis as saying when the pressure was blatantly on. It is interesting that this abbreviation of an incompetent inquiry makes no allusion to whether or not Davis recognized a picture of Oswald, which in his subsequent report Kennedy did go into with some evasiveness. It is not likely that when the FBI investigated the assassination of the President, its agents were not armed with multiple pictures of the accused assassin. It seems a fair inference that Davis said more than Kennedy reported and that a reasonable identification of Oswald was one of these things.

After the New Orleans *States-Item* broke the story of the Garrison investigation on Friday, February 17 1967, Bob Scott, one of the enterprising reporters for Radio Station WNAC in Boston, phoned Andrews for an interview and any information he could provide. A few days later he called Andrews again. On the first call, Andrews was almost uninhibited but predicted his memory might fail. On the second call, Andrews made good his prediction. What he could not avoid, he said he did not recall.

Harv Morgan; an experienced radio reporter who has conducted information programs since before the assassination and a man who, with remarkable success, as made his daily three hours on

KCBS in San Francisco a modern "town meeting of the air," phoned Andrews on Sunday, February 26, while I was broadcasting by telephone from my Maryland home. It was not immediately clear to Andrews, who had not been home when Morgan called earlier and left a message, that this was being broadcast, although Morgan so said.

Morgan read Andrews quotations from his testimony as I had incorporated them in *Whitewash*. Andrews denied having made such statements. Suddenly he asked, "Say, is this being taped?"

Morgan was speaking at the same time and did not understand Andrews, but I did.

"Is being broadcast," I told him.

From Maryland to San Francisco and more than halfway back across the continent to New Orleans, these three words went in a fraction of a second. Andrews's comprehension was as fast.

"Somebody's out of his mind!" he exclaimed. Then, "Click!" and the conversation was again two-way. Andrews was no more "out of his mind" that Sunday than he was when Regis Kennedy interviewed him in Hotel Dieu Hospital. He wants to live.

He put it in his characteristic forceful style in talking to Scott. He "just loves to breathe." At the same time, he predicted almost to the day when that all-encompassing memory, after holding exquisitely fine detail for 45 months, would suddenly fail. That failure just happened to coincide with the call from his friend Garrison for questioning in the New Orleans investigation.

Because of his bravery before the Commission and his determination not to be intimidated or diverted by the FBI, Andrews's indictment in the Garrison probe is a special kind of tragedy. It is also a measure of Garrison's dedication, for he and Andrews are friends.

The first of Andrews's grand-jury appearances was on March 1. In advance, he told the press, when asked if Shaw and Bertrand were the same man, "I don't know if he is and I don't know if he isn't." Subsequently, he pretended disinterest and was quoted as saying, "I should care less" (sic), about this identification; Oswald, he said, had become "just a vague memory." He volunteered the prediction that he would be indicted and announced he had bet that he would be. His prediction was good and he won

his bets on Thursday, March 16. The charge was perjury.

When Sam Monk Zelden, Andrews's friend and lawyer, alleged a lack of specific detail in this indictment, on Wednesday, April 12, Andrews was reindicted. The typed specifications, added end to end, are more than 11 feet long. Among the interesting revelations in the fragments of testimony released by the grand jury is this account of when and how Andrews met "Bertrand," given in response to a question about Shaw's height:

"I see him on TV. He is a tall cat -- I don't believe the person I know as Clay Bertrand is as tall as him. I don't know. I can't say yes and I can't say no. As God is my judge I have to go back to the same thing I am telling you -- I go to a fag wedding reception -- and he is standing up and he is well dressed -- I don't measure the guy . . ."

On the voice: "I can't say positively . . . the voice I recall is somewhat similar to this Clay's voice . . . deep, cultured, well educated voice -- he don't talk like me . . ."

Andrews acknowledged knowing Ferrie and having handled Carlos Marcello's deportation defense, which also involved Ferrie as investigator.

He joined the long list of witnesses and the later analysts in reporting essential questions had not been asked of him as a Commission witness. In his picturesque and inimitable way, among these he ticked off the time and circumstances of his meeting Bertrand, at the "fag wedding," seemingly a not uncommon social event in tolerant New Orleans.

A week after the indictment, Andrews filed a \$100,000 damage suit against Garrison, alleging deprivation of his civil rights.

As soon as I got a tape of Bob Scott's interview with Andrews, I sent it to Garrison. Here are a few excerpts from it:

Andrews: . . . I just don't want to get involved in it. Besides that, I like to live. If a guy can put a hole in the President, he can just step on me like an ant. It's not my fight . . .

Scott: Has the government shown any further interest in you?

Andrews: Yeah, they watch me. Got a tap on the phone you're talking on now . . .

Scott: You said there were three things you were going to do. One of them was find Clay Bertrand and the other one was find the guy who really killed the President. Do you still feel that way?

Andrews: I know, daddy-o. I'm too smart to talk, like I told you; I like to live. Most of the answers I know, but I mean, what the hell, it doesn't make any difference. I've done two of the three. Let's put it that way.

Scott: Would you care to say which two?

Andrews: No, unh-unh.

* * * * *

Andrews: I just can't see anything will come out of it. What difference does it make? The guy's dead. Start a lot of . . . and, uh, mess up a bunch of people, and I'm just kind of conservative. I believe in letting sleeping dogs lie. If I can get out of publicity without a hole in my head and my creditors will find me and think I'm famous and want me to pay my bills . . . (On Oswald) Oh, he never killed him. All the people know that. He ain't nothing but a decoy. Everybody knows that . . . You can't win for losing in this game . . . He's just a patsy.

Scott: Do you think it was Lee that was in your office?

Andrews: I don't think, I know that . . .

Scott: How about any influence . . . or pressure brought to bear on you . . .

Andrews: Well, let's put it this way. I practiced international law a long time. I know my way around. I know what I have to do and I do what I have to do when I have to do it. I think if there is a plot . . . with the passage of time the people involved in it grow old and when you grow old you lose nerve. When you lose nerve, you become conservative and you just fade and you pass. It would be my guess as to whoever did what was done over in Dallas.

Scott: Do you think in your little dealing that you had with Lee Oswald at all that he had any connection with the CIA or the FBI?

Andrews: No. He personally? No . . .

Scott: Okay, then, Mr. Andrews, I do appreciate your talking with us.

Andrews: I wish I could go the route with you, but I ain't got nothing to win and everything to lose. You know, like my life, and I just enjoy breathing . . . I got a very well ordered life, you know, hahahaha, and I like it to stay that way. These people down here I think if what just listening to them and everything else is true, they'll have a lot of fun and they'll probably come close and J-u-u-u-ust miss, you know.

Scott: Do you think you really know the answer, you yourself?

Andrews: Well, let me put it this way. I can come closer than close. But I ain't even gonna get that close. I'm gonna -- If the action's north, I'm going west, you know. These -- uh, it's a very -- let me put it to you this way. It's a very fantastic, strange, set of circumstances. I don't think this thing was plotted. I think the whole thing happened within 36 or 72 hours at the most. Probably 16 hours . . .

Scott: If we ever open the investigation again on some sort of a nationally recognized or governmental plane, will you testify before a new investigation committee?

Andrews: Well, I got the shortest memory in the world. Round about a minute. That -- that's not what's gonna do it. They done did what they had to do and the only people not satisfied are the people -- historians, you now. They want to document everything and they couldn't care less who gets stepped on or what. They're looking for the Holy Grail and if they can find it God bless 'em. What they going to do with it when they find it? They let Pandora out the box and they ain't no way they can put her back in. Now all you can get is conjecture. The real answers to tell you personally yes, I know the guy that pulled the trigger, man nobody could tell you that. But nobody. But the way I think what everybody's ticked off at is the in which all this mass of information was assimilated (sic) and it like the finding of an elephant. Down on the bayou when I's a kid they told us a little story. Took four blind men to the zoo. One grabbed an elephant by the trunk and said, "I know what he's like he's like a snake." 'Nother one grabbed the elephant by the tree and he said, -- no, by the leg you know and said, "He's a tree like a trunk." One walked into the belly and said, "You two cats are crazy, he's like a wall." One grabbed him by the tail and said, "No, he's like a rope." They all argued loud and long about what an elephant is, but they only got one part of him. And that the problem with the Warren Report. Nobody'll go deep enough, far enough and strong enough to take the entire concept and nobody is intelligent enough or clever enough to start from, say from Point A to Point C with the varyin' factors that go in and out of it. But because they do not possess the necessary instincts and training to take all of the

pieces and put it together and that's what they're hollering about the Warren Report that the Feebies didn't run this particular report out

But nobody knows which way the bullet went -- north, south, east or west. Did it come from Oswald's window? Actually, I have reason to believe there were three places and that there were two assassins and a dummy and all they caught was what they were supposed to catch -- the dumbbell. The two real people, the hit and the follow-up hit, -- you can't lay three shots, you know, the way they say they did but you can figure Assassin A, pow. You can figure Assassin B, pow, and Assassin A, pow, and you got three shots. Nobody can tell me the directions the shots come from and all you got to do is plant something in a person's mind and if he's an alleged witness he'll seize on it and go up and say it's true . . . But what they can't get away from, no matter how they look at it, is how they caught a patsy so quick. Who leaked the information? Do you know how to write?

Scott: Yes.

Andrews: One day we'll write a book, if you're ever down here, "Who Killed Cock Robin?"

Chapter 6

THE SPY WHO STAYED OUT IN THE COLD

With all the nonsense, repetitions and plain rubbish that litters the eleven large volumes of printed exhibits, page after page of hard-faced Ruby strippers, page after page of photographic reproduction of unrelated trivia in various pocket notebooks, an amazing clutter of unessential maps, directories, guidebooks and other printed mementos, with exhibits printed redundantly (and at the same time contradictorily, where allegedly identical exhibits actually are not), with all the enormous numbers of printed pages entirely wasted except as intellectual quicksand in which the casual reader or serious researcher is engulfed by the sheer volume and disorganization alone, why were not these missing parts of File 984, discussed in an earlier chapter, printed as evidence? Why was the file purged?

Certainly not from consideration of space or cost. Were content the basis of decision, it seems hard to justify devoting to an established error all but three of the 21 pages of the file that are printed. This is more pointedly questionable because what was consciously left out, what was not printed but is in this file, relates to testimony, to the story of Oswald in New Orleans and those involved in this story; to the Cuban training base, to the federal agents and the ways they work and the abuses of American law that they tolerate; in overtones, to the CIA; and they give the names of some of the men enmeshed in the web of the suppressed events.

The only purpose served by the conscious editing of this file when it was printed is suppression. No other reason or purpose suggests itself, no other end was served. It is not an accident. Nor is it a frivolous matter. Here the Commission had evidence of the a violation of a number of American laws, with the complicity or tolerance of the federal government, whose agencies caused or knew about it. Equally serious is the violation of publicly declared national policy, the policy of -- the policy created by -- the assassinated President. The consequence of these violations of law and policy could have been war -- war like none in history -- World War III, for the Soviet Union was publicly pledged to defend Cuba from any attack. These documents are about an attack on Cuba.

More provocative still is allotting six pages of "evidence" to Castro's November 29, 1963 (26H431 ff), speech in seeming justification of the mischievous nonsense originating with Portel-Vila. This lie was widely disseminated by the Cuban refugees despite its falsity and its adverse effect on American policy. It constitutes an intrusion into American policy matters by these refugees who, in turn, were the mendicants of the CIA.

Were the Commission to print Castro speeches as part of its evidence and if it could find space for proven lies, how can it justify its failure to quote Castro's speech of November 23, a week earlier, his first speech after the assassination? In this speech and in the press of the time was enough for another full investigation. Castro quoted public statements, made in the United States, that are almost a prediction of the assassination.

Is it credible that the Commission could print six pages of a misquoted Castro speech that is not in point but could not find space for a Castro speech that is on target, if only to refute it?

The pertinent speech, the one that is not in evidence, does not come to me through the official United States monitoring and translation service. It is an unofficial translation. It is, however, his speech on the assassination, in which he explained, as he saw it, what was involved, who he thought might benefit from the resultant change, and what consequences might follow. It is a speech that is not unsympathetic to the late President. It was broadcast by Cuban radio and television. The Kennedy speech to which he refers was made five days earlier, November 18. Castro's speeches are long. I have excerpted this, omitting his attacks on editors and journalists whom he names and abbreviating the rest:

... These events occur precisely at a moment when Kennedy was being severely attacked by those who considered his Cuban policy to be weak. It could not be us, but only the enemies of the Revolution and the enemies in general of a more moderate policy, a less warlike policy, the enemies of a policy like this who might be interested in the death of President Kennedy, the only ones who perhaps could have received the news of Kennedy's death with satisfaction.

A few days ago an incident drew my attention. This was while the Inter-

American Press Association Conference was taking place. It was a scandal . . . they made long tirades . . . against the speech delivered by Kennedy in Florida . . . (which) disappointed a number of persons who favor a more aggressive policy against Cuba. It was a disappointment for the counter-revolutionary elements, and it was a disappointment for the warmongering elements in the United states.

And so, a series of cables. Here: "Miami, Florida -- The Cuban exiles waited tonight in vain for a firm promise from President Kennedy to take energetic measures against the communist regime of Fidel Castro." . . .

A series of cables began to arrive . . . "New York, November 20, UPI -- The Daily News editorial stated that . . . Kennedy now refuses to allow Cuban exiles to launch attacks against Cuba from U.S. territory" the paper said "and in fact uses U.S. naval and air power to maintain Castro in power." . . .

And then, finally, there is something very interesting -- really very interesting and curious which drew my attention when I read it. That is why I remembered it and looked for the papers. It says: "The third editor to express his opinion was Sergio Carbo" . . . Carbo . . . is Director of the Executive Council of the Inter-American Press Association . . . an important post in reactionary intellectual circles . . . his statement ends (and this is what drew my attention) . . . by saying: "I believe that a coming serious event will oblige Washington to change its policy of peaceful coexistence." What does this mean? What did this gentleman mean when he said three days before the assassination . . . in a cable . . . from Associated Press, dated November 19, AP number 254, Miami Beach . . . "I believe that a coming serious event will oblige Washington to change its policy of peaceful coexistence?"

What does this mean, three days before the murder of President Kennedy? Because when I read this cable it caught my attention, It intrigued me, it seemed strange to me. Was there perhaps some sort of understanding? Was there perhaps some sort of plot? Was there perhaps in the reactionary circles where the so-called weak policy of Kennedy toward Cuba was under attack, where the policy of civil rights was under attack -- was there perhaps in certain civilian and military ultra-reactionary circles in the United States a plot against President Kennedy's life? . . .

Radio Havana apparently considered this an important speech. The next day, Sunday, it broadcast a lengthy commentary and analysis of it. The copy I have, again an unofficial one, is seven single-spaced typewritten pages long. It emphasized the thought that only the element Castro described as "ultra-reactionary" in American life could benefit from this assassination. The commentary returned to this time and time again, in such expressions as this: "An event like that of yesterday, can only benefit the ultra-right, the ultra-reactionaries among whom cannot be included the President and some of the people who worked with him . . ."

It also emphasizes Castro's comment on the IAPA Miami meeting:

. . . President Kennedy had spoken to them last Monday evening. The speech of the President was disappointing to the partisans against Cuba; it was disappointing to the Cuban counter-revolutionaries and it was disappointing to the ultra-right in the United States . . .

Then Fidel said there is a strange sentence in this report made three days before the assassination. I believe," and noted that on *November 19 AP cable says*: (and quoted) "*I believe that a serious event soon to take place will oblige Washington to modify its policy of peaceful co-existence.*"

All of this certainly adds up to a Castro charge that his political enemies talked as though they were predicting the assassination of the President that followed on the third day. If the Commission were going to regard Castro speeches as "evidence," it seems it might better have addressed itself to his speech on the assassination and might have left fewer questions for history if it had devoted the space it wasted in providing a propaganda field day for the radical right with the printing of the falsehood to the printing of his speech on the assassination. It should have investigated Castro's charges and, to the degree possible, have answered them, if it could. Its failure to print these seeming threats from the IAPA meeting is an especially serious self criticism because the Miami police had intercepted threats to kill the President and all the arrangements for his November 18 appearance before the IAPA had been changed because of it. We shall go into this in a later chapter.

There can be only one reason for eliminating these documents from the record, the same reason that kept out the New Orleans reports on the right-wing Cuban training camp along Lake Pontchartrain: suppression. By suppressing these reports, consistent with avoiding any inquiry of any nature whatsoever -- sympathetic or unsympathetic -- of Oswald connections with the anti- Castro Cubans, the involvement of the CIA was hidden.

Two weeks after the raid on this camp, Dan Kurzman, the Latin-American expert of the *Washington Post* wrote a story on the switch in the CIA's plans for its anti-Castro operations. In part he said:

. . . the United States is apparently trying to prevent independent exile organizations from engaging in parallel activities that might jeopardize its own . . .

United States, policy is to centralize the underground's control under the CIA. This agency is reportedly recruiting particularly trusted and competent members of individual exile groups into its service.

However, it is believed to be financing and cooperating with at least some independent organizations because of their relatively efficient underground networks in Cuba.

"The lack of hit-and-run raids on Cuban shore installations or ships trading with Cuba in recent weeks reflects general agreement among the exile groups that sensational and well publicized incidents are ineffectual, detrimental to CIA activities, and likely to meet with a swift crackdown by U.S. authorities."

There is reason to believe that at the time of the investigation and for a considerable time thereafter, neither Hoover nor anyone else in the FBI expected their reports, so sacrosanct to them, to be accessible to researchers and writers.

On February 4, 1965, Paul Hoch, a student at the University of California, wrote Hoover asking how he could "obtain a copy of the original FBI report " Although at the time of the assassination it was believed this report would be made public, it was not. It is not included in the Report or any of the 26 volumes.

Hoover's reply of February 10 reads:

It is not expected that our original report in this matter will be made public since information in FBI files must be maintained as confidential in accordance with regulations of the Department of Justice and is available for office use only. I would like to point out that the President appointed the Commission to look into the tragedy and ordered the FBI to conduct an investigation. Based upon these instructions, our investigative reports and the data appearing in our files were furnished to the Commission and any release of the release of these facts fell within the responsibilities of the Commission.

"Fell." Past tense, indicating the belief that what the Commission had not published would remain secret. The then-prevalent belief was that it would be 75 years before anyone would see any of the files. The character of the FBI's report is such that it is probable Hoover never expected it to be

subject to scrutiny, for in it he makes no mention of the bullet that missed the motorcade entirely or the wound in the front of the President's neck.

Hoover's invocation of the "regulations" in his letter to Hoch is a polite way of saying he is a law unto himself, for it is his regulations that he invokes. His subsequent record is consistent with this on October 31, 1966, then Acting Attorney General Clark ordered that everything considered by the Commission and in the possession of the government be placed in the National Archives. I had written Hoover five months earlier, on May 23, 1966, asking for access to the spectrographic analysis of the bullet allegedly used in the assassination and of the various bullet fragments, clearly the most basic evidence, but not in the printed evidence. He has not answered that letter. Since issuance of the Attorney General's order, I have on a number of occasions requested this evidence of the Archives. Hoover, as of March 1967, had not turned it over. Once, in my presence, one of his agents deceived the Archives by falsely reporting this analysis was in an FBI file that was accessible. Since then, silence, but no spectrographic analysis.

Whether or not suppression was the motivation, it certainly is the effect. What was hidden is the puerile pretense of an investigation by the FBI of part of the story of Oswald in New Orleans and of violation of laws and national policy. The FBI had every reason to believe the CIA was involved with rightist Cubans, some with frightful reputations for brutality. After Bringuier's testimony about the camp and Oswald, if anyone ever intended a serious, "thorough," and "exhaustive" investigation of the assassination and what related to it, the anti-Castro Cubans and Oswald's relations with them was unavoidable.

The "synopsis" of Miami Agent James J. O'Connor's report of May 8, 1964, covering his "investigation" and the attachments is in this same uninformative spirit: It alludes to the false charge that Oswald had been in Cuba, an invention of these same Cubans who should have been investigated and were not, says that Castro's speeches are monitored by the USIA, refers only to the part of Bringuier's testimony dealing with the alleged "spy," and makes no reference to the New Orleans camp for the

training of Cubans to attack Cuba or to the newspaper stories that refer to the camp. The synopsis, instead of revealing what significance the following 19 pages might have, masks it. A hurried lawyer reading the synopsis would be deceived by it.

In its entirety, this so-called "synopsis" reads:

Title: LEE HARVEY OSWALD

Character: INTERNAL SECURITY--R--CUBA

Synopsis: Newspaper articles and investigation set forth concerning FERNANDO FERNANDEZ, mentioned by CARLOS BRINGUIER of New Orleans, Louisiana, in testimony to Counsel for President's Commission Also set forth is article from magazine BOHEMIA INTERNACIONAL, issue of 2/2/64 wherein allegation is made that FIDEL CASTRO, during a speech on 11/27/63 committed a slip of the tongue in stating "The first time OSWALD was in Cuba . . ." Employee of USIA, Miami, stated that although all public speeches of CASTRO are monitored, no such slip of the tongue has been detected. He furnished translation of CASTRO's speech 11 /27/63 however no remark was noted implying that OSWALD visited Cuba.

The hope that somehow, some way, all knowledge of this camp would disappear if it were not mentioned is pervasive. O'Connor added no data about it. What appears in the stories is presented, nothing else. He made no investigation and, from his own report, interrogated none of the principals. His concept of an FBI investigation, or his instructions, translated his function into that of a forwarding service for the transmission of newspaper clippings and some of the old information from the files of the Miami office. Not a single avoidable new name or fact is introduced. Together, the suppressed Miami and New Orleans reports fail to give the names of most of the men involved. They were readily available to the agents of both offices. All they had to do was want and ask for them. Particularly was this true in Miami, where the bosses and offices of the so-called "Christian Democratic Movement" are. This group is known as the CDM and the MDC.

The contents of these newspaper stories, referred to by Bringuier and in his hand when he was a witness but not placed into evidence by Liebel, explain the all-level federal reluctance for them to get

any attention or analysis. The September 4 *Diario Las Americas* story begins with the complaint of Laureano Batista that "the Castro spy, Fernando Fernandez 'was not being detained'" by the FBI. Soon he was quoted telling the FBI the law, that "we gave sufficient proof to the FBI for his arrest." Batista's is the instant law associated with others of his name. That the FBI found nothing with which to charge Fernandez did not concern him. It was sufficient for him that he wanted Fernandez arrested.

In the second paragraph he is quoted as having said that the CDM "turned over the uncovered Communist agent to the FBI." This statement was soon contradicted. The September 6 story, in its third paragraph, says that Fernandez "had been taken to the FBI four days ago," but in the ninth paragraph CDM members are quoted as having said, "Fernandez accompanied them to the FBI office on his own accord."

The dependability of this information in this Cuban refugee paper is apparently equal to that of the refugees. In its headline, referring to an alleged FBI statement, it says, "Secret Service Official Makes Statement to 'Diario Las Americas.'" The alleged statement, not too well received, was that "it is only a crime to spy against this country and not against the exiles who are violating United States neutrality laws."

The rest of the *Diario Las Americas* part of the report deals with the trials and tribulations of one Diego Valero, of Nassau, who was described as "the leader of the Castro espionage network in Nassau" in the so-called confession extracted from Fernandez before he was "turned over" to the FBI or "accompanied" the members of the CDM "on his own accord." It was all news to him and entirely untrue, Valero declared after a special trip to Miami to clear himself with the FBI.

Of the other seven men said to have been named as "Castro agents" by Fernandez, two were Cuban diplomats and remained silent. The other five immediately presented themselves to either the FBI in Miami or the United States Embassy in Mexico "to clear their names." Poor Valero had to travel to do it.

At the end of his report, O'Connor "noted" that the "interrogation was partly conducted by

MANOLO DE CANAL, Spanish Radio Station Commentator." It is not surprising that after the "interrogation" details of it were broadcast by unnamed radio stations.

There follows a UPI story indicating that agency's disbelief of Fernandez's position and role as a spy by referring to him as a "confessed spy," in quotation marks. His "confession," when mentioned, is similarly deprecated, also by quotation marks. Not without reason, for the information in the Miami FBI files quoted on the fifteenth page of O'Connor's report reads, "On September 1, 1963, MM T-1, another government agency which conducts security and intelligence type investigations, advised that MDC officials were then in the process of interrogating FERNANDO FERNANDEZ at the MDC headquarters in Miami and that FERNANDEZ has been beaten up during the interrogation."

Assuming it is a crime to beat people up, as presumably it is even for police, is not the failure of "MM T-1" to notify the Miami police an eloquent commentary on its impartiality and the dependability of the "confession?"

The September 6 *Diario Las Americas* story opens with what it describes as Fernandez's "claim" to the Miami *Herald* that the statement "had been obtained from him under threats and torture," as though this were not the case. Not inconsistent with what is inherent in Bringuier's testimony (10H43), indicating that Fernandez was in a kind of involuntary custody on the trip from New Orleans to Miami, is the next paragraph:

Fernandez told the authorities of Miami that the members Or the Christian Democratic Movement had tortured him by tightening a cord around his neck and placing a pistol at his head in order to force him to confess that he was an agent for Castro. The members of the movement insist however, that the aforementioned confession was voluntary, and for that reason he had been taken to the FBI four days ago and presented along with a tape recording of the above-mentioned confession.

Batista is then cited as evidence that "there had been no coercion."

Fernandez, it appears, went as fast as he could to the Miami police "and told them that he had been beaten and 'tortured' at pistol point for twelve hours" and demanded that charges of "kidnapping, assault and battery be lodged against his supposed torturers." Shades of MM T-1! How impartial can you be?

Diario Las Americas, as though to warn other Fernandezes, continues with the details of what Fernandez told the police: "He stated that the confession in question was false and that it had been obtained from him under threat of death if he did not make it just that way; . . ." To leave no doubt in anyone's mind, the paper says of Fernandez, who was never under police arrest, "Fernandez was released Tuesday."

After asserting that public officials have said neither that the confession was true nor that it had been obtained under duress, *Diario* indicates "there would be an investigation to see whether the Movement took the law into its own hands in order to obtain a confession," and reveals its own opinion of how law-abiding, high-minded, generous and all-forgiving Laureano Batista is:

In regard to this matter, Batista said that they did not intend to continue the controversy, since they did their duty by turning Fernandez over to the authorities in order to let the law take its course.

The account quoted from the *Miami News* adds details. The pistol, it says, was 45-caliber. Fernandez told it that he reported the refugees' plans "in order to prevent a 'massacre.' The exiles will not get anywhere in their fight against Castro because they do not have the proper conditions." Elsewhere Fernandez is less concerned about the effect of his words on the Cuban-refugee community and translates, "they do not have the proper conditions" into "they are mad and cannot succeed."

He told the *News* what he also told federal authorities, that he was convinced Castro would stay in power and he wanted to go home to his people.

The old Miami FBI file, described by O'Connor as "developed . . . during investigation conducted in August and September, 1963," discloses that Batista's assistant Paneque (whose mother was a Batista) had returned from New Orleans by August 3, 1963, for on that day, accompanied by Heriberto Valdes, he appeared at the Miami FBI office, with copies of letters and a story.

According to him, Fernandez, who had come recently from Kansas City, joined the CDM in early July. Because he was interested in their activities, the CDM was suspicious. Henry Infante was assigned to cozy up to him, became his friend (here O'Connor's account makes no mention of New Orleans and the camp there) and intercepted a letter Fernandez addressed to the man he thought was Cuba's ambassador in Mexico City.

What a self-revelation of the so-called "Christian Democratic Movement" that it should be suspicious of a member who is interested!

The date on this letter, August 1, is not entirely, consistent with developments recounted in the New Orleans report. It also indicates the speed with which the camp broke up. On August 3 Paneque was back in Miami, having made the 900-mile trip by bus after arrangements for the payment of transportation expenses had been made, as recounted earlier.

There is reason not to believe either of the contradictory accounts, the CDM's or Fernandez's. If Fernandez was a spy, he reported remarkably little and absolutely no detail. He reported his "chance" infiltration of a "serious operation" whose "imminent" attack "Is leaving from-Central America" He said he had "detailed reports of this military plan" and did not give the slightest hint of them but did warn the ambassador to "remain alert from now until the 8th."

In return for the information that he did not give he bargained, for himself and, he thought, Henry Infante, who double-crossed him.

My comrade and I wish to return to Cuba we ask you to intercede for us. Also what way can we use to return? Is it possible to get diplomatic asylum in some Embassy in Central

America? Is it possible to escape by some clandestine means? In short, we await instructions.

The tone and lack of content of this letter suggests that Fernandez was truthful in saying he was disillusioned with the refugee groups, convinced they would never make a dent in Castro, and just wanted to go home. What is much more difficult to credit is the CDM story of the letter they planted on him. Here O'Connor's report reflects the lack of interest on the part of the FBI in this confessed violation of law. He says that Paneque and Valdes "advised that for several weeks prior to that date (that is, before August 3), certain members of the MDC had been in New Orleans, Louisiana, in contact with RICHARD R. DAVIS, JR., the MDC delegate in New Orleans." Not another name in addition to Fernandez's is given. Yet all of these men violated the neutrality laws. If the FBI got or wanted their names, O'Connor does not indicate it. He says only that "included in the group at New Orleans were" these three.

Little as O'Connor says, he says enough to expose deBrueys and Steinmeyer and what they were sheltering in their report of a month later, already quoted. Nowhere in the deBrueys-Steinmeyer report is there the slightest indication that Davis was "the MDC delegate in New Orleans." Instead, they retail as though it were true Davis's transparent cover story, that he was an innocent businessman who wanted only some laborers to send to Guatemala. Both reports are alike in revealing no names, rather exceptional, would seem, for the FBI. The New Orleans "reporting included but a single additional partial identification that of a "man named FORNES."

While the FBI said little and avoided the obvious. the Commission said even less. Not a single one these names is mentioned in all the testimony save that of Fernandez, by Bringuier.

The CDM yarn O'Connor forwarded to Washington is that "in order to entrap FERNANDEZ, PANEQUE and others drew up a fictitious anti-CASTRO plan of action, which they requested FERNANDEZ to translate into English. PANEQUE made available a copy of the plan, which was translated by FERNANDEZ, as follows."

Before quoting this delightful James Bondishness, Cuban-refugee style, let me point out that

there was nothing at all fictitious about the New Orleans camp or the planned attack, which was frustrated by police action alone. It was part of, perhaps the beginning of, a change in United States secret policy further reflected in the picking up of Loran Eugene Hall, one of the characters in the story of The False Oswald, by Treasury agents, thus ending the plans for the invasion of Cuba and terminating the West-Coast-to-East-Coast gun-running they had carried on during 1963, when it was counter to declared policy.

Thus letter that "entrapped" Fernandez was not very clever. It was datelined "Caracas, Venezuela, July 23, 1963," and signed by Batista, the Miami-based leader of the CDM. Batista thus involved Venezuela in actions against Cuba, whereas Venezuela officially and stoutly maintains the opposite is true, and Fernandez had reason from the start to believe the entire thing was a fake, because he had just left CDM Miami headquarters himself.

It is accurately addressed, as it had to be, to "Captain Leovino Interian, c/o Richard Davis, Jr., Delegate in New Orleans, 1670 Westbrook Dr., New Orleans 22, La." Thus, whether the letter was or was not a trap, we have additional proof from the files of the FBI that it did nothing about this open violation of law and further evidence of the complicity of deBrueys and Steinmeyer in shushing it up. The information about Interian and Davis is correct. The FBI silence is not.

Perhaps the most ridiculous part of this affair is the first paragraph of the letter that was to ensnare Fernandez, whose function, recall, was to translate a letter from Spanish into English ("FERNANDEZ speaks excellent English," in the words of O'Connor's report). How do you address a man who is fluent in Spanish and not in English? In English! Why? For "security!"

"I am sending you these orders in the English language," the letter begins, "in order to avoid any problems in security. Once you have opened this personally (if you do not receive the envelope sealed, do not trust the contents), I ask you to get in touch with our Delegate there as soon as possible, so that he, personally, will translate this Spanish, if you do not have any other person you can trust at the camp." At this point, in parenthesis, the O'Connor report says, "(Translator's note: English starts here)."

Is there little wonder, after reading this, that Fernandez lost all hope in these refugee groups?
What a silly child's game!

You mail a letter from Venezuela to New Orleans, to a man fluent in English, Davis, for it is he who received the Interian letter and was ordered to translate it. Then you ask Fernandez not to be at all suspicious when he knows Davis's language fluency and knows that Davis is there in New Orleans and able to translate. Davis is the one who made the arrangements when that strange uniformed crew was apprehended by the Louisiana police.

Is there any wonder that Fernandez told the FBI "he became disillusioned with MDC's inability to initiate meaningful action against the CASTRO regime and he conceived a plan to trade information regarding MDC military operations in order that he could obtain asylum in Cuba." These are the words of page 16 of O'Connor's report. Living in this comic-opera world and pretending it is all serious no doubt affected O'Connor. He actually said "asylum in Cuba." If there is one thing that can be believed about this entire caper, it is that Fernandez would have been "disillusioned."

The rest of the letter explains to reasonable men why Fernandez gave the ambassador no details. They simply could not be believed.

"We have acquired the necessary financial resources as well as military bases," it says, "so that we can now hit Castroland with everything we have. I have received a check for \$9,575.00 from Mr. DAVIS and his friends with which we have paid for two Mustang's (P-51) and one B-26 Bomber. All with their bombs and ammunition."

Nothing would make for credibility like writing a man subservient to Davis and in care of Davis, telling him what Davis has done and doing this in greatest secrecy and "security" And would an arrant fool believe that for less than \$10,000 he could buy two airplanes, complete with "bombs and ammunition"?

These planes were to "hit the refineries of Bellot in Habana Bay and the NARAMJITO power station." Meanwhile, "the commandos will take the lobby of this hotel (the Rosita de Hornedo, whose

address Batista feels he apparently has to give another Cuban, the man who is "captain" of the raid!), cut all telephone communications, and proceed, in 14 minutes to kill every Russian . . . shall immediately be evacuated by the U.S. Navy, via U.D.T. (Underwater Demolition Teams) and submarine U.S.S. BARRACUDA." This sub would honor a "code word" straight from TV commercials, "GO TIGER, GO, GO, GO."

This ultra-secret letter also told the commander who, naturally, did not know exactly what his "17 men in all" would be armed with: "submachine guns (300 rounds each), 6 hand grenades, and one 12 gauge riot shot gun, this with 85 shells each (sic)." How many porters each of the 17 members of this "commando" unit would require for his arsenal is not revealed, but certainly no one man could carry and use the allocated weaponry.

For all of this, according to Batista, "I have received a guarantee if we can do this, the O.A.S. (Organization of American States) will immediately demand the overthrow of the red regime of Cuba"

As though to assure Fernandez that the whole thing was some kind of utter nonsense, Batista concluded his letter with this directive: "The men under your command will leave your base on August 1st, 0700 hours, and shall proceed to Nicaragua via ocean fishing boat . . ." D-Day H-Hour had come and gone before Fernandez wrote the ambassador. If nothing else in this Cuban Gilbert and Sullivan grotesquerie warned Fernandez something was wrong, this certainly should have.

Fernandez must have known better: Infante told the FBI that what really worried Fernandez, why he really wanted to get out of the country, was his fear of prosecution by federal authorities at Kansas City. Fernandez confessed just this, in detail. He had operated "an employment agency wherein he imported Mexican women to act as maids to the Kansas City area," in O'Connor's Batista-like language, as a sideline while attending Kansas City University, "and this activity resulted in investigation by the U.S. Immigration and Naturalization Service (INS). Fearing arrest by INS, FERNANDEZ left Kansas City and came to Miami . . . He said his principal motive in desiring to return to Cuba was to avoid arrest . . ." It was to get into Cuba that Fernandez joined the CDM. It did not take him long to learn that

was one way he could never do it.

Fernandez apparently made an unsuccessful attempt to leave the United States August 31. This is revealed in Batista's complaint that the "United States authorities had not taken action to prevent departure of Fernandez."

Fernandez also told the Miami FBI that "he traveled to New Orleans, Louisiana, to receive commando training at a farm about 30 miles north of New Orleans . . . equipment was inadequate and it appeared to FERNANDEZ that the MDC was conducting a racket by exhibiting the 'commandos' in training to wealthy Americans who were asked to contribute to the anti-CASTRO cause."

In telling of having been given the "plan" to translate, Fernandez used a polite description of it, calling it merely "absurd." His experience at this camp added to his feeling the MDC was unqualified and unable to do anything and added to his despondency.

In an August 31 attempt to leave the United States, Fernandez said a number of other disillusioned CDM members were to have joined him. It is this that apparently led to his private arrest by Batista, to roughing him up and the threats to kill him, which occurred the day after he was to have left, not his alleged "spying."

Ultimately, Fernandez was relocated far from Miami. With the help of the Catholic Cuban Relief, he was sent to Chicago, from the fire back into the frying pan he had fled. He was charged with "encouraging and inducing the illegal entry of aliens into the United States." He entered a plea of "guilty" and was sentenced to "five years on each of the three counts" on February 20, 1964, but sentence was suspended, and he was placed on probation for three years, restricted by the court to remain within its jurisdiction. It is a safe bet he did not want to go to Miami anyway.

Of course, one reason for federal silence about this New Orleans training camp could be official embarrassment at having tolerated such consummate incompetence. They could not plan and execute the capture of a home for crippled octogenarian women. The time had to come, and it did before the assassination, when policy changed.

A great nation like the United States cannot indefinitely continue to be in bail to a rag-tag band of irresponsible sandbox soldiers. The change was in private policy, CIA policy, not declared national policy, which was being violated.

The invasion camp at New Orleans was raided. Loran Hall, one of the Americans who were training Cubans in the Florida Keys for another attack, was picked up by federal customs officers near Key Largo. His load of arms and drugs was confiscated. The handwriting was on the wall.

If people motivated by hate and dominated by uncontrollable passion needed any motive other than the Bay of Pigs and the guarantee of Cuban territorial integrity made by Kennedy as his contribution to the solution of the Cuba missile crisis, the change in policy, the decision that doomed them to failure in their longing to take over Cuba, provided it. If any men capable of murdering the President had a motive, it was these irresponsibles.

Perhaps we now know why these documents and this facet of the story of Oswald in New Orleans were suppressed.

Aside from the observation that a United States President was unable to enforce his own foreign and domestic policies, it must be noted that the federal police collaborated in this insubordination. Within the United States, in opposition to the President's wishes, violations of laws and policy that could have at any moment incinerated the world were aided by federal agents.

These suppressed FBI reports are a self-indictment more powerful and unanswerable than any critic can compose. The agents knew what Washington wanted. Not the truth, for that was known in Washington. The agents did only what they well understood was expected of them. This attitude, really, has never been secret. For the most part, the press has pretended none of it was happening. Occasionally, usually in a different context, some of it slips into print. In a March 11, 1967, editorial commenting on CIA secret financing of student and other groups described as "left-wing," the Washington Star said, ". . . it immediately developed that one highly conservative group, the Cuban Freedom Committee, had received more than \$1 million from the CIA."

They acted in accord with the policy that controlled them. Not the policy of the President, the head of the country and the leader of the nation; not declared policy, but the secret policy of what has aptly been called the "invisible government," the policy of the CIA, the protector, leader and financier of the Cuban refugees.

Chapter 7

ASSASSINATION: "A COLLOQUIAL EXPRESSION"

On the fifth of the nine days between public revelation of the New Orleans probe and Dean Andrews's accurate forecast of his oncoming loss of memory, David William Ferrie was found abed, naked and dead, at 11 A.M. by a blonde-haired boy with long sideburns, not identified by the police whom he told he did not know Ferrie and "just happened to wander in." Midst the clutter and disorder in which Ferrie lived, an environment that perfectly matched the disarray of his personal homosexual life and the stark unreality of his surrealistic cosmetics, the corpse of Dave Ferrie shared the unkempt second-floor flat at 3330 Louisiana Avenue Parkway with three thousand books, including a full assassination library, and such unlikely companions for work or study on psychology, philosophy and religion as, in the words of the Associated Press dispatch of February 28, "a blue 100-pound practice aerial bomb (exactly what the FBI seized when it raided the New Orleans invasion camp on July 31, 1963), a Springfield muzzle-loading rifle, a .22-caliber Remington rifle, a single-shot .22-caliber rifle with altered stock, 20-gauge shotgun shells, two Army Signal Corps field telephones, a bayonet, a flare gun, a radio transmitter-tuner unit, a radio receiver tuner unit, .32 caliber empty brass casings, .22-caliber blanks, several cameras and three rolls of undeveloped film." Along with this, the two suicide notes -- one a hurt complaint to an unrequiting lover "Al," the other a complaint to the world in general -- both as disappointing to the bemused world as life had been to Dave Ferrie.

To Al Ferrie said, in part, "When you receive this I will be quite dead, so no answer will be possible . . . I offered you love and the best I could. All I got in return, in the end, was a kick in the teeth. Hence I die alone and unloved . . . I wonder what your last days and hours are going to be like. As you sow, so shall you reap." To the world in general, he proclaimed that "to leave this life is for me a sweet prospect. I find nothing in it that is desirable and on the other hand everything that is loathsome." Society and life, not David Ferrie, were wrong.

To the coroner death was natural, of a massive cerebral hemorrhage caused by a burst blood

vessel at the base of the brain. The weakened vein was said to be congenital. Following toxicological tests, Coroner Nicholas Chetta announced on February 28, that there was evidence of neither suicide nor murder. Despite the "stress and strain" of his wretched life and the pressure of the investigation he knew was under way, death was not induced, either by Ferrie or others unknown, said Chetta. He was specific: "There is no indication whatsoever of suicide or murder." He described Ferrie as "a psychopath . . . a dangerous individual capable of almost anything."

Incredible and disconcerting as it was untimely, the death of Dave Ferrie, so true to his under worldly and unreal life, left behind it a mystery and deep suspicions not laid to rest by scientific opinion. Coroner Chetta said death had to have come before four A.M. on February 22. George Lardner, Jr., Washington *Post* reporter, was with Ferrie in his flat until four A.M.

"Ferrie was certainly living when I said goodbye to him Wednesday shortly before 4 A.M.," Lardner said after the death was discovered. He could see "nothing inconsistent" about it.

District Attorney Garrison, whose probe was seriously impeded by Ferrie's death, had called him "one of history's most important individuals" who had been "involved in events culminating in the assassination of President Kennedy." This statement, by the man in charge of the investigation, was public acknowledgment of what Ferrie had known for weeks, that for once in his 49 years he was important. At this precise moment, as unsatisfyingly as he had lived, Dave Ferrie died, leaving behind an enigma as unpleasant to behold as his unreal, unpretty and self-ordered countenance, as unlikely as the disreputable red mop he glued on his bald head instead of a neat wig, as heavy, round, owlish and excessive as those fake mascara eyebrows, and perhaps in some ways as permanent as his departure from this world he found so "loathsome."

Ferrie had longed to be a priest but was expelled from the seminary. He wanted to be and became an airline pilot, only to lose his job when he was arrested on sex charges. He was never convicted, but he was arrested several times, all but one for the same offense. The word around New Orleans is that he held the academic degree of doctor of philosophy. He listed himself in directories as a psychologist. He

said he was a hypnotist. He worked as a private investigator.

He died alone, figuratively and literally. Partly covered by a sheet, found by accident, in his departure from life he entered the earth alone and unwept for, unwanted, no friend to mourn for him, no relative to claim the remnant life had so mysteriously abandoned. His death, which came at the one time in his life that it had genuine significance, when he might have helped solve the crime of Presidential assassination, was as inappropriate and unsatisfying as his life.

It is almost as though Dave Ferrie, with those special quirks uniquely his, had scripted his own death. He was an odd one, according to the press, virtually hairless from an otherwise unexplained and undescribed "explosion." It is in keeping with his character, if not his attitude toward life and people, that Dave Ferrie made himself up so conspicuously, so outlandishly, so inappropriately, that the made-up Dave Ferrie was as repulsive in appearance as the hairless one. His pencilled eyebrows were exaggerated and unreal in shape, size and substance. His wig was another distortion, permanently in disarray, conspicuously red, straggly and obvious. Carlos Bringuier, a round peg who fits many holes, found himself repelled by Ferrie. "In the stomach, it made you feel bad to look at him," he said.

When his picture made the front pages with his death, Ferrie's big eyes peered eerily straight ahead into the eyes of the viewer, large, glassy and discomfiting. Mostly he seemed like the photograph of a comic-strip character, so unlikely that the image and the impression of the countenance linger one-dimensionally in the mind.

Every suggestion is deceptive. From the picture of the face, he seems like a small man, but he was just under six feet and close to 200 pounds.

No matter how bewigged, his hair was unkempt. No matter how put on, his eyebrows were too big. No matter how posed, his eyes, too, seemed added on. His receding chin was narrow from the front, making his head seem more bulbous. His small, thin-lipped mouth also was hard. Sometimes it sneered, with or without intent, and he then looked like an overacting movie villain.

In the bizarre and untimely ending of this life, as though willed with the timing of a master

showman for maximum attention, he may do more good than ever he did in life. In this he is like that other dead bachelor of the half-world, Jack Ruby. Many people just will not believe Ruby's death was natural. In death he focused national suspicion on the unsatisfactory official "solution" to the assassination. With the stark inappropriateness of the time of Dave Ferrie's dying, at the precise moment all attention was focused on him, as though some evil, all-controlling master plucked him offstage so he could not act out his part, he served to spotlight Jim Garrison's investigation. With his death the more blatant ridicule of the press and of the other professional sneerers abruptly subsided. But "officially," the Ferrie case, the Ferrie part of the story of Oswald in New Orleans, we are told, is closed and it should be because there is nothing to it. If a single newspaper is an exception, I did not see it by late April 1967 nor have I heard of it.

Not content with this, the reporters and their papers prejudged the New Orleans investigation and Garrison, ridiculed both, demanded he produce "evidence" -- had he, before trial, they would have assailed him for his extra-legal conduct -- and never failed, in each story, to reiterate that the Warren Commission had concluded that Oswald was the lone and unassisted assassin and there was nothing more to be said.

The day after Ferrie's death, while the strange event was still in streamer headlines, before the coroner had rendered his verdict, James Marlow, Associated Press by-line writer and columnist, handed in his decision: "Talk without evidence is all there is."

Simultaneously, came the assurances that the FBI, too, had rendered a verdict of Ferrie's innocence. The Bureau and its longtime director are the objects of special reverence. They are things apart in some papers, which are against whatever the rest of the government does and for the FBI, regardless of what it does.

The Washington *Star* has especially good relations with the FBI, from which it sometimes gets exclusive statements. One such was Hoover's assault on all critics and criticism at the time of the third anniversary of the assassination.

On February 23, it wrote that "Washington sources who refused to be identified told UPI that a Warren Commission investigation of Ferrie showed that he had no connection with the Kennedy assassination." Instead of using UPI copy straight, the *Star* paraphrased. The result is a defense of the FBI. The Warren Commission *never conducted any investigation of Ferrie!* Before there was a Warren Commission, both the FBI and Secret Service looked into him, from what I can learn, solely on the basis of New Orleans police interest. In the first chapter of *Whitewash II* (page 19), I exposed the interest of the Secret Service in him, on November 24, 1963, the day before he was arrested. After his arrest, Jim Garrison recommended an FBI questioning (and he was never given a copy of the interrogation report). The subsequent federal investigation was for the Warren Commission, not by it. The Commission had not a single investigator of its own. It used those of the executive branches, one of the most crippling of its self-imposed restrictions.

In the very neat paragraph this *Star* story, without in any way indicating the meaning and having already avoided mention of the FBI and given the reader the idea that the Commission conducted the alleged Ferrie investigation, quotes the UPI directly: " 'The allegation of Ferrie's connection with an assassination plot was washed out by the investigation conducted for the Warren Commission,' the unidentified source said." The "unidentified source," A journalistic device exploited by those who want to be heard while remaining anonymous, called by the *Star* "Washington sources who refused to be identified," without doubt either was or was speaking for the FBI.

In UPI's formulation as well as that of the *Star*, the onus, should there have been one -- with Ferrie's mysterious death not yet explained anything was possible -- the public mind was already fixed on the Commission, whose fault was not that it had conducted this investigation but that it had failed to.

Bracketing its defense of the government's misfeasances, malfeasances and nonfeasances, the *Star* has consistently berated and insulted those who have written books critical of the Report. It has done this without troubling to find out, independently, what the facts are, depending instead upon its own

prejudices or its own biased sources.

On the same day, as part of a lengthy story, the *Star* declared, "Statements Ferrie made under questioning by the FBI are included in the Warren Commission Report in the National Archives here. Nineteen pages of testimony are open to public scrutiny. About 40 more pages, believed to involve Ferrie but also to deal with FBI techniques and mode of operation, are kept secret."

In these three sentences the *Star* achieved almost perfection in inaccuracy. Nineteen pages are involved, but three duplicate. Here accuracy ends. The Report is not in the Archives. It is public, published by the government and a number of commercial houses, condensed, summarized, paraphrased -- the works. The Commission's evidence, for the most part, is also published, in the 26 volumes. The 16 pages are not of testimony. They are not in the Report -- not mentioned, alluded to, paraphrased or anything else. Like Ferrie and his arrest, they are unmentioned in the Report. These 16 pages and all the others still suppressed are not sworn and not in evidence. They are in the unused files. The reason for this suppression has nothing to do "with FBI techniques and mode of operation," unless this includes protecting stool pigeons and other sources of information.

hose documents and other evidence that are withheld are denied on the order of the executive agencies that supplied them. In the case of documents provided by the FBI, it is the FBI that dictates their denial, not the Commission. What is to be released cannot be released by the Commission, for it has long been out of existence, its function fulfilled with the issuance of its Report.

The following morning, February 24, the *Washington Post* printed this:

Ferrie declared that he had been checked out thoroughly by the FBI and found to have played no role a claim that appears to have been sustained by the FBI. (Sources In Washington said the Warren Commission had investigated and cleared Ferrie of any connection with the assassination, United Press International reported.)

Across the continent that day, Jack Nelson and Nicholas Chriss wrote in the *Los Angeles Times*:

Meanwhile, the FBI continued its policy of refusing to comment on the Garrison investigation but it was learned the FBI had eliminated Ferrie as a suspect early in its probe of the assassination. The FBI accumulated evidence which it considered showed conclusively that Ferrie and President Kennedy's assassin, Lee Harvey Oswald, were not acquainted and that Ferrie was in New Orleans on the afternoon of November 22, 1963.

This is how the FBI comments without seeming to comment and while saying it is not commenting. Someone speaks not for attribution or someone who cannot be called the FBI speaks for it. It has its cake after eating it, a common practice in government press relations.

To say, as this does, that the FBI "early" cleared Ferrie because he had no connection with Oswald, whether it is right or wrong, is to affirm what I charge in *Whitewash: The Report on the Warren Report*, what has been denied ever since, that the government set out simply to prove or make it seem credible that Oswald acted alone. This official attitude, likewise, is true regarding Ferrie's presence in New Orleans (which he also left that day, according to the FBI). Conspiracies do not require the presence of conspirators at the scene of the crime. There is also the crime of accessory, simply defined as a person who knows about a crime, before it is committed or after, and does nothing.

The subtle campaign to support the government and undermine public willingness to believe or independently to assess developments in the New Orleans proceedings continued. On March 1 George Lardner, Jr., was still writing in the *Washington Post* that Ferrie was "subsequently cleared by Federal agents of involvement in the assassination of President Kennedy." Two days later, Gene Roberts wrote in the *New York Times*,

And Wesley J. Liebelor (sic), a member of the Warren Commission staff, said that a "very substantial" investigation by the Federal Bureau of Investigation had shown that Mr. Ferrie was not a part of any assassination plot.

Four days after Ferrie's death, Lardner wrote this from New Orleans:

Of Ferrie an FBI agent told Newsweek's Hugh Aynesworth in Dallas several months ago, "We picked him clean. You won't find anything there."

Wesley Liebeler who, more than any other man on the Commission's staff, is responsible for what may with kindness be called the inadequacy of this part of the Commission's work, was also quoted at some length by Michael J. Berlin in the New York *Post* of February 25:

"Ferrie was picked up shortly after the assassination and questioned thoroughly by local officials and the FBI. I remember specifically doing up a substantial stack of FBI reports on Ferrie that we reviewed in order to make our determination.

"It was perfectly clear that he was not involved in any way."

Liebeler, now a UCLA law professor, is working on a book defending the Commission's conclusion that Lee Harvey Oswald acted alone in the assassination.

"To the best of my recollection," says Liebeler, "there were two people with Ferrie, and they accounted for his moves on the day of the assassination . . . They were not near Dallas. I don't remember the names of the two, but they're in the Commission files."

The FBI reports on Ferrie were not included in the Commission's 26 published volumes of testimony and documents, Liebeler says, "because it was so clear he wasn't involved."

Liebeler says the Commission staff did not double check the FBI inquiries "aside from some questions I asked" of two witnesses who were called upon by the Commission, primarily to discuss other aspects of Oswald's background.

Liebeler pressed him for a relationship between Oswald and Ferrie in their teenage CAP days, but O'Sullivan could remember none.

Thus does Liebeler acknowledge that he, too, sought no other assassin than Oswald, no conspiracy, no accessories, nothing other than the government's pat answer.

If he could make a genuine "determination" based on those FBI reports that are not suppressed, he is a genius. If he could make one without conducting his own investigation or a serious interrogation of the witnesses he had, he is a marvel. He never asked Bringuier, for example, if Bringuier knew Ferrie. Bringuier had known him since January 1961.

It is not true that "the FBI reports on Ferrie were not included in the Commission's 26 published

volumes of testimony and documents," as Berlin quotes Liebeler, " 'because it was so clear he wasn't involved.'" Were this true, J. Edgar Hoover is betraying a public trust and violating regulations by denying them today. If there is nothing in them that would have prevented the Commission from printing them, which is what Liebeler says, there certainly can be no reason for Hoover to deny access to them to a corporal's guard of researchers. Liebeler and Hoover cannot both be right. Another reason for not printing these reports is that they are ridiculous, showing that anything but an investigation was conducted, as our quoting of them will prove. But even lack of necessity, Liebeler's defense, does not apply. What those 26 volumes contain that is not necessary is scandalous. One example is a series of pages devoted to tawdry pictures of Ruby's strippers.

It is not even true that Liebeler "double-checked" the FBI by "asking some questions . . . of two witnesses." That, too, as we have already seen, was farcical. There likewise is no basis for saying Liebeler "pressed" those witnesses. The fact is that Liebeler "pressed them" about nothing and purged the record of the few questions he asked about Ferrie's homosexuality.

This is pretty much what Liebeler told his home town paper, the Los Angeles *Times*, which printed this February 24:

An attorney for the Warren Commission said here Thursday that an extensive FBI investigation failed to establish any connection between David William Ferrie and Lee Harvey Oswald.

Prof. Wesley J. Liebeler of UCLA law school, whose interview of a New Orleans policeman contained the only mention of Ferrie in the Warren Commission report, said the FBI had checked him out long before.

"There were a substantial number of reports from the bureau, containing all details of Ferrie's trip to Texas and tracing any possible connection with Oswald," Liebeler said.

"There isn't anything in them that would indicate any connection. I remember them very clearly."

Liebeler said the FBI reports, which he estimated to be more voluminous than the 40 pages mentioned by New Orleans Dist. Atty. Jim Garrison, are in the national archives. He said he does not know why they have not been released.

Liebeler said the FBI reports showed no relationship between them at the time of the assassination.

As for the investigation being conducted by Garrison, Liebeler had this to say: "I

personally don't think he has anything, because everything I have seen so far was aware to us then" (sic).

Liebeler and the FBI played the same game in 1967 as each had in 1964. During the investigation, each avoided what it did not want in the evidence. In 1967 each avoided what it did not want of any blame. As the "unofficial spokesman" avoided reference to the FBI when there seemed a possibility Garrison might come up with something, so Liebeler, whose judgment was that of the Commission, carefully placed full responsibility on the FBI. In 1964 he could have asked that the Commission order the FBI to act like a police agency but did not. He shrugged it off.

Liebeler is correct in saying there was "nothing in them [the FBI reports] that would indicate any connection" between Oswald and Ferrie. Nobody wanted any. His own questioning of O'Sullivan, which he failed to follow the CAP records and which is so shallow it is no questioning, discloses this. The failure of the FBI to seek this connection should have inspired Liebeler's doubts. His conception of his function, to develop evidence that Oswald was the sole assassin, the hallmark of his Commission work, is the essence of his statement to the Los Angeles *Times*. His limitation to "at the time of the assassination" rather than "when Oswald was in New Orleans" in mention of the Oswald-Ferrie relationship is a reaffirmation of the same crippling philosophy and the same disability that paralyzed the Commission's work. The Commission and Liebeler wanted no accessories, as they wanted no accomplices and no other assassins.

When Liebeler conducted his New Orleans questionings, Ferrie was in New Orleans. He did not call Ferrie as a witness. When he had Bringuier on the stand, he did not seek really to learn about Bringuier and what he might know of the real story of Oswald in New Orleans. Too bad; it could have been informative.

In saying that the file was somewhat more extensive than 40 pages, Liebeler was right but inconsistent, for he was interviewed February 25 by Carl Rowan on CBS-TV. He then said that nineteen

documents had been declassified. And there are more than 40 pages.

I know. I took Garrison's investigator to them. I met him in Washington the morning of Thursday, February 2, and took him to the National Archives, where they are kept under lock and key, in a large steel vault barred by a stout lock and reinforced with a combination lock. As best I could, I explained the problems of using these chaotic files, the disorder that had been built into them, the booby-traps, diversions and other hazards and time-wasters that the Lorelei who was the government's classifier had designed, and the double-talk and gobbledygook of the FBI and Secret Service. I introduced him to the cooperative Archives personnel, authorized him to draw on my account for his Xeroxing. We worked together that day.

Perhaps our most interesting discovery, fitting tribute that it is to Wesley J. Liebeler, is the report of Portland (Oregon) FBI Agents Julius A. Bernard and William S. Brown. On November 26, 1963, they interviewed J. Pat Doyle, of 1107 SE 123rd Avenue, Portland. This was but four days after the assassination. Doyle told the government that his family had been on vacation in New Orleans the day Oswald got himself arrested giving out his handbills. Their son Jim took movies of the operation.

These movies are not in the Commission's files. The consistency with which the government rejected -- the Commission did not even look at -- pictures that did not incriminate Oswald and could have revealed exculpatory proofs, is astounding. I have dozens of cases of it from the existing records, can only imagine how many cases there were that the FBI avoided to begin with (and I know of a number) and of which there is no record in the files. In the near future I shall be publishing the proof of this from the Commission's own files.

In any event, this one-page document was my present to Garrison. It cost but 20 cents. From there on his man was on his own, and I have no doubt his stay in the National Archives was fruitful. But this is how I know Liebeler is right in reporting the Ferrie documents are more numerous than 40 pages.

Four of the 40 "Ferrie" pages in a single file have been declassified. Thus is what Liebeler *did not* say on TV, where he implied that about half of all the material is available. There is declassified

Ferrie material in five files. The total of what has been declassified is 19 pages from all files, eight brief documents in all. For good reason or not, the rest is suppressed. There may be more of which I do not know. Marion Johnson, the efficient custodian of this archive, gathered for the press these 19 pages referred to, of which three are duplicates. The total number of different pages is 16. I found an additional page.

Unless they contain serious information not hinted at in those not still secret, the FBI and the Commission, for any serious purposes, might well have spent their time reading the newspapers.

Edward Voebel, having heard the news that Oswald was the accused assassin and recalling their junior high school friendship, made public reference to it. We have discussed Voebel's testimony. He had been questioned with something less than vigor by Commission Counsel Albert Jenner following previous official interrogations and conversations. Voebel's testimony, which was led, was less than definitive. In it he did not say that Oswald and Ferrie had known each other in CAP days and he did not say they had not. The Commission, which then ignored this in its Report, now, through its apologists and former staff members, tells us Ferrie and Oswald did not know each other. That is not what the press said at the time of the assassination. One story put it this way: "A New Orleans florist, Edward Voebel, had seen Lee Harvey Oswald's picture on television and reported he and Oswald had served in a Civil Air Patrol squadron under Ferrie."

It may, indeed, be that Voebel could not establish fact either way. But it cannot be that Jenner could not have confronted him with the contradiction between the press accounts and his testimony when he was under examination and made an effort to resolve the conflict, for which, as the Commission's lawyer, he alone was responsible. The remaining questions, questions that should not remain, exist only because Jenner allowed it.

Following Voebel's statements, Jack S. Martin, an associate of Ferrie, got in touch with Herman S. Kohlman, an assistant district attorney. Kohlman, as a newspaper man several years earlier, had written a story about Ferrie (which is not in the Commission's files or record). This seems to have been

the source of the Secret Service spelling of Ferrie's name as "Farry" when Marina was questioned November 24, 1963 (*Whitewash 11*, p. 19).

Unlike most Secret Service and FBI reports, which are or pretend to be neutral -- for example, those on the exile-Cuban training camp quoted earlier -- this one is editorial and personal, really malignant. It is one-sided, was never read or approved by Martin, and was given to the press, which used it without asking him. His later denials of much of it to the New Orleans *Times-Picayune* of February 28 and Houston *Chronicle* of March 4 went almost unmentioned elsewhere and were ignored by the by-line writers, who had by this time inundated New Orleans and from it had flooded the newspapers with biased accounts, largely based on their own prejudices and those of the available official documents. This is what the *Times-Picayune* of February 28 said:

Martin also said he was misquoted in the Warren Commission report. Documents in the National Archives quote the FBI as saying Martin told them any connection between Ferrie and Oswald was a figment of his imagination.

Martin said he never told either the FBI or the Secret Service that he made up the story about Ferrie's association with Oswald.

If all the faults attributed to Martin are his, he is in good company, for they and more were enjoyed by men and women called as witnesses by the Commission and credited, including perjurers.

The "synopsis" of the Gerrets report is an argument, an indictment, not a report, but it does fairly reflect the contents. This was not an investigation of Ferrie, about whom Gerrets says nothing of importance, but a condemnation of Martin. It reads:

Investigation disclosed that information furnished by Jack S. Martin to the effect that David William Ferrie associated with Lee Harvey Oswald at New Orleans and trained Oswald in the use of a rifle with a telescopic lens, also that Ferrie had visited Dallas several weeks prior to the assassination of President John F. Kennedy, is without foundation. Jack S. Martin, who has the appearance of being an alcoholic, has the reputation locally of furnishing incorrect information to law enforcement officers, attorneys, etc.

Under "Details of Investigation," Gerrets tells the complicated story of how at 5 p.m. on Sunday, November 24, 1963, he was told of Martin's effort to get in touch with Kohlman. The first 20 percent of these five pages is third-hand hearsay. But at 11:10 p.m. Kohlman phoned Gerrets from his office to inform him "that the District Attorney's office was conducting an investigation of their own with regard to 'Farry; that 'Farry' is actually David Ferrie." The information provided by Kohlman was substantially correct, possibly entirely so, a not inconsiderable accomplishment for so early a point in the District Attorney's investigation. The Gerrets account of what Kohlman told him, continued from above, shows, without mentioning it, the cooperativeness of the District Attorney's office. We here omit one paragraph in which Gerrets says Kohlman was reluctant to give Martin's name because he "did not want to become involved in this investigation," With no indication from Gerrets of the probable reason, the friendship between Martin and Ferrie. Rice is Gerrets's boss. He approved the report:

. . . wears a wig, having suffered loss of hair in blotches). He said that Ferrie has a record at the New Orleans Police Dept. -- Bureau of Identification; that he had been arrested several times and charged with moral offenses involving young boys. He said that Ferrie at one time lived on Atherton Drive in Metairie, La., a suburb of New Orleans, Mr. Kohlman stated that at the time of his telephone conversation with me his office had ten Police Officers (Investigators for the District Attorney's office) scouring the city for David Ferrie and that in the event Ferrie was picked up he would notify me. (No request was made of Mr. Kohlman that Ferrie be picked up and held for this Service.)

At 12:35 a.m. on 11/25/63 Assistant District Attorney Herman Kohlman telephoned the reporting agent at his residence, at which time he advised that he had received information to the effect that David William Ferrie had left for Dallas on Friday 11/22/63 during the afternoon, traveling in a light blue Comet. He also advised that Ferrie reportedly had a plane and may still have it. He said that at the time of his telephone conversation with me Ferrie was allegedly on his way back to New Orleans.

Mr. Kohlman stated that it was his information that Harvey Lee Oswald was in Ferrie's Civil Air Patrol group in New Orleans some years ago; that Ferrie allegedly had a fraudulent charter and that the Civil Aeronautics Board checked on it,

* * * * *

During the late afternoon of 11/25/63 SAIC Rice received a telephone call from

Herman S. Kohlman, advising that David Ferrie had been picked up by representatives of the Orleans Parish District Attorney's once and that he was being questioned in the District Attorney's office at that time. Mr. Kohlman informed SAIC Rice that Ferrie would shortly be brought to the First District Police Station, where he would be booked.

At approximately 7 p.m. on 11/25/63 SAIC Rice and reporting agent interviewed David William Ferrie (W; M; 46 -- DOB 3-18-18 of Cleveland, Ohio; 5-11; 190; ruddy complexion; brown eyes; wears dark brown kinky wig with a reddish tint; false upper teeth; resides at 3330 Louisiana Avenue Parkway, New Orleans. Former address: 331 Alberton Drive, Metairie, La. Ferrie stated that he had lived at 17302 Laverne and at 6801 Pear Avenue in Cleveland, Ohio).

None of this was news. The Secret Service could have gotten it from the District Attorney's office. It is also superficial, meaningless and the reflection not of what the Secret Service should have wanted to learn, but of what Ferrie wanted to tell them. It serves his purposes, not that of investigators taking their responsibilities seriously.

At this point, judging from Gerrets's own report, Ferrie seemed to take over the investigation. He told Gerrets "that he had a very good idea who had reported him as having associated with Oswald, training him in the use of rifles with telescopic lenses, etc." He then named Martin and gave his address. Whether Martin ever did say these things we cannot learn from this Secret Service "investigation." It does not say. It merely quotes Ferrie as having said that Martin said these things. The first came from Voebel, and it was the beginning of Ferrie's travail.

If anything, the "report" proves that Martin did not specify these things, as Martin himself told the *Houston Chronicle*.

After Gerrets finished questioning Ferrie at the First District police station the night of November 25, the FBI took over. What, if anything, they found out is secret, for there is no such FBI report unsuppressed. If there could possibly be anything in it justifying suppression under the regulations, I cannot think of it. From the available FBI reports, the agents sought to learn nothing. What they might have discovered that had to be suppressed is entirely inconsistent with what available.

Did Ferrie, perhaps, confess an official or unofficial CIA connection, the nature of his own

involvements with the exile Cubans who were the creatures of the CIA? Whatever he said, he was, from what is not suppressed, thereafter treated with kid gloves. There are a number of reasonable conjectures that should have suggested themselves to skilled, on-their-toes agents like those of the Secret Service and the FBI.

The FBI beat the Secret Service to Martin, whom they interviewed on or by November 26. There is no FBI report of it and the Secret Service report does not say:

On 11/26/63 it was learned the FBI Agents had talked with Jack S. Martin, who admitted that he had been the informant with regard to David William Ferrie; that Martin had admitted to FBI Agents that the information which he had furnished Assistant District Attorney Kohlman was a figment of his imagination and that he had made up the story after reading the newspapers and watching television that he remembered that Kohlman, former newspaper reporter, had written an article or story about Ferrie a couple of years ago and that he pieced the whole thing together in his mind and had given it to Kohlman as facts.

On the night of 11/29/63 SAIC Rice and reporting agent interviewed Jack S. Martin at length in his small run-down apartment located at 1311 N. Prieur Street, New Orleans, which he shares with his wife and 6-year old son. Martin admitted during the interview that he suffers from "telephonitis" when drinking and that it was during one of his drinking sprees that he telephoned Assistant District Attorney Herman S. Kohlman and told him this fantastic story about William David Ferrie being involved with Lee Harvey Oswald. He said he had heard on television that Oswald had at one time been active in the Civil Air Patrol and had later heard that Ferrie had been his Squadron Commander. Martin stated that Ferrie was well known to him; that he recalled having seen rifles in Ferrie's home and also recalled that Kohlman had written an article on Ferrie and that Ferrie had been a Marine and had been with the Civil Air Patrol. Martin stated that after turning all these thoughts over in his mind he had telephoned Herman S. Kohlman and told his story as though it was based on facts rather than on his imagination.

Important as what Martin said should be when the murder of a President is involved, there is not a single direct quotation from Martin. This is less than exceptional, for there is none from Ferrie's interview with Gerrets and Rice and the Secret Service, which got to Martin several days later, also apparently found his precise words unworthy or inconvenient.

The interesting thing here is that everything the Secret Service says Martin knew from personal

knowledge is correct. He also knew that Ferrie had been a CAP commander. To justify the use of the word "fantastic" to describe what Martin said, whether he used it or the Secret Service deemed it appropriate, there remains but the paraphrased language following it, the "story about William David Ferrie being involved with Lee Harvey Oswald." Whatever can be said of it, and there is reason to believe it, there is nothing "fantastic" about it. This is Secret Service propaganda that has nothing to do with what they say they were told, nothing to do with what they attribute to anyone other than Ferrie, and nothing to do with Martin's reliability or lack of it. It may have served a purpose at the time it was written, to condition Washington minds. It certainly was useful when it was fed to the press in New Orleans in 1967 and helped convince the reporters Martin was not a dependable observer.

Two sentences only remain in this report. The last one, under "Details of Investigation," reads:

In view of the above, this phase of the investigation involving William David Ferrie will be considered closed.

And under "Undeveloped Leads":

Case remains open at New Orleans pending submission of several additional reports covering investigation thus far conducted, after which the case will be closed here and investigation discontinued in accordance Chief's instructions.

Thus we learn that there were also additional Secret Service reports that were suppressed and that the Ferrie case was "closed," as ordered by Chief Rowley.

But first of all the report begins with and contains false statements. Gerrets and Rice did not conduct what is normally conceived as an investigation. The synopsis is both misleading and untrue, part of the poison. What is "without foundation" came from others. The only accusation of his training "Oswald in the use of a rifle with a telescopic lense" (sic) and things of that sort came from Ferrie and

not Martin. Those in Washington who went past the synopsis got the same poison in the body of the report, in less concentrated but more generous doses.

Some of the things not believed and coming from other people, like Ferrie's having flown to Cuba, are not without corroboration, whether or not true. This came out in one of the morals cases against Ferrie. It is not without interest that there is no denial of the third-hand report that the FBI had been investigating Ferrie "several weeks before 11-24 63," as the second page of the report says.

There are other indications Ferrie was under investigation before the assassination, but by whom is not known. Within a week after it had made Garrison's investigation public knowledge, the *New Orleans States-Item* learned ". . . a private detective had been posing as a Civil Air Patrol official at the airport in 1963 . . . with the task of checking on Ferrie's activities." There is no reference to this, not even to deny it in the Report or any of the Commission's published or unpublished files of which I am aware.

The wonder would be if it was not an investigator from the CAP. It should have become disturbed at its conversion by Ferrie into a recruiting ground for his harem of young men.

But these questions should not be without answer. Had the CAP (or another agency posing as the CAP) investigated Ferrie in 1963? Was the FBI investigating Ferrie just before the assassination and, if so, why? The "supplies" Ferrie allegedly flew to Cuba, it may be presumed, were not for the Cuban government. How Ferrie "knew" Martin was the source of the information against him is a question that apparently did not interest the Secret Service. Ferrie had been traveling, hiding or in jail. He had not seen Martin, and there is nothing in the report to show he saw anyone in New Orleans other than his lawyer.

There is no inquiry about the suspect, Ferrie, shown in this report. There was no such interest. All the Secret Service wanted to do was say Ferrie was "clean."

Ferrie said he worked for G. Wray Gill, who is also his personal lawyer; that Gill told him to hide out overnight (the Secret Service did not care to ask why), and that on the day of the assassination "he had been in court in connection with a trial involving Carlos Marcello." Other accounts, possibly less delicate, say Marcello was on trial. Carlos Marcello is not a stranger to the news columns.

Only two interviews with Ferrie are not suppressed. Ferrie drafted the second. It is not less informative than the first. Neither begins to say what each shows it could have.

On November 27, less than 48 hours after the FBI jail interview, Ferrie was visited by Agents Ernest C. Wall, Jr., and Theodore R. Viater. It cannot be said they interrogated, interviewed or questioned him, for the content of their report does not justify association with the norms of police work. What Ferrie said is embodied in eight short paragraphs. Most of these are simple denials, of which only two are unequivocal: He never loaned his library card to Oswald and he never taught anyone how to use a telescopic sight. He does not deny having known Oswald "in the Civil Air Patrol or in any business or social capacity." It is probable that Ferrie did not then know what the various police knew of him. Instead, he is quoted as having said "he has no recollection of knowing or having met" Oswald.

The first two paragraphs, which bear very much on what the FBI knew (and the reports do not say) and on what was subsequently learned, read:

FERRIE stated that at the time of the Bay of Pigs Invasion of Cuba he was very embarrassed and concerned over the lack of air cover provided the Cubans who were engaged in the invasion and that he severely criticized President JOHN F. KENNEDY both in public and in private. He stated that he does not recall specifically what he said in making these criticisms and might have used an off-hand or colloquial expression "He ought to be shot" to express his feelings concerning the Cuban situation. He stated that he has never made any statement that President KENNEDY should be killed with the intention that this be done and has never at any time outlined or formulated any plans or made any statement as to how this could be done or who should do it.

FERRIE stated that when it came to serious discussions, when the question of impeachment of President KENNEDY arose he opposed any impeachment proceeding. FERRIE said that within one year prior to the first Russian Sputnik he recalls being quite critical of the U.S. Space Project and the Defense Program. He said he had also been critical of any president riding in an open car and had made the statement that anyone could hide in the bushes and shoot a president. FERRIE also advised that he has been accused of being a worshiper of President KENNEDY because he is a liberal and strongly believes in President KENNEDY's civil Rights Program and Fiscal Program.

This is self-serving language. Ferrie's public record on Kennedy and Cuba is really violent and is

in no way described by the words "embarrassed and concerned," as we shall see. Saying the President of the United States "ought to be shot" is not just a "colloquial expression." The "Cuban situation" need not be a reference to the Bay of Pigs in either the time of the threat or the year in which it was made, which the FBI does not note. And to imply that possibly the threat was but a bad joke is the least one could expect of the man who made it. Without a complete rundown on him, the explanation is not acceptable, although it satisfied the FBI and the Commission. When and where the threat was made, how the FBI knew about it, who reported it and what he or they thought of it we do not know. Ferrie says it is but a "colloquial expression" or a bad joke, and who is the FBI, investigating the murder of a President, to question Dave Ferrie?

Ferrie's story about his reaction to the murder of the man "he almost worshiped" is that, instead of being glued to his TV, as were most Americans, he went off goose-hunting with two of the lads, leaving New Orleans late November 22.

On November 28, Lee Fletcher, the porter at the Alamotel, "made available the registration card" for Ferrie, Alvin Beauboeuf and Melvin Coffey, who checked in at 4:30 A.M. November 23 and out "around 8:00 or 9:00 P.M." November 24.

The November 23, 1963, date on the Alamotel Registration Card was written over a November 22, 1963, date. Mr. FLETCHER explained that this occurred because of the early morning time which the subjects checked in the motel, but he is quite sure the right date was the 23rd.

More mystery, more "thoroughness." The address of this motel is not given, not even the city, the FBI was that thorough. Presumably it was Houston, 364 miles from New Orleans. Ferrie or his companions made four calls to New Orleans and a local one. All five numbers are given. If there was any investigation of this, the evidence is barren. Thoroughly barren. But it should not be. The two unidentified numbers are those of the Town and Country Motel -- Carlos Marcello's -- and the one at

which Beauboeuf's mother worked the switchboard. This way a collect call.

Also on November 28, Chuck Rolland of the Winterland Skating Rink, whose address is given without the city (but there is indication elsewhere it is in Houston), told the FBI that Ferrie phoned him November 22 to ask for the schedule and to announce he "was coming in from out of town and desired to do some skating while he was in Houston." On the 23rd, between 3:30 and 6:30 P.N., Ferrie and his two friends arrived "but at no time did they discuss the cost of equipping or operating an ice skating rink." Is this a clue to some of what is in the suppressed documents? There is nothing in evidence on it.

FERRIE stated to Mr. ROLLAND that he and his companions would be in and out of the skating rink during the weekend. This is the last time Mr. ROLLAND saw FERRIE or his companions.

In Galveston on November 28, Mrs. Mary Doveri of the Driftwood Motor Hotel gave the FBI a registration card that indicated the same three checked in there 11 p.m. the 23rd and left at a time not recorded the next day. One phone call was made, to Alexandria, Louisiana. Quite obviously the Ferrie party could not have traveled 60 miles from Houston to Galveston and arrived the day before they started. But these FBI reports show departure from the Alamotel Motel in Houston between 8 and 9 p.m. the night of the 24th and arrival at the Driftwood in Galveston about 11 p.m. the 23rd.

There is an additional report from Port Arthur that may or may not relate, of three unnamed and partly described men who stopped at a gas station in the early afternoon.

If any of the people from whom identities were sought was shown a picture of any of the three men, the documents do not reveal it. If any registration cards were taken for handwriting comparisons, there is no statement so showing, nor is there any report on the handwriting analysis. If Coffey or Beauboeuf were interviewed, there is no record. There is no reference to either of the young men in any of the testimony or in any of the unindexed exhibits that I recall.

Assume that these rudimentary inquiries show Ferrie and the other two were in Texas those two

days. This is not proof of it, and this raises more questions than it answers, about the hunting of geese, or whatever else Ferrie hunted and called it goose, or of the times, which do not work out. This is anything but a diligent investigation of Ferrie's trip. It is contradicted by an account of an interview with Ferrie in the New Orleans *Times-Picayune* of February 23. This interview was granted after the Garrison investigation was public and long after Ferrie knew about it. He gave this brief and inadequate description of his trip:

"We went that night to Vinton, La., then to Houston, Galveston Tex., where we did some goose hunting, and finally back to Alexandria, La. It was there I discovered Garrison and his assistant Frank Klein had broken into my apartment and carted off a lot of things."

Here is 100 percent of what can be gleaned from the Commission's file, 100 percent of what the FBI has not suppressed.

With the death of Jack Ruby there are three grounds for withholding *any* of this material. The copy given me by the able and conscientious Director of the National Archives, Dr. Robert Bahmer, is headed, "Justice Department Revision of Guidelines." These categories are (aside from that vague sheet under which so many ghosts stalk, "national security"): What "would be detrimental to the administration and enforcement of laws and regulations . . ."; what "might reveal the identity of confidential sources of information" (Hoover's stool pigeons that to him are more important than public knowledge of the full story of the assassination and who was involved and how the government -- he -- performed); and what "would be a source of embarrassment to innocent persons . . ."

Could the revelation of any of this material, before or after Ferrie's death, "have damaged his reputation had they been made public," the explanation quoted by the San Francisco *Examiner* of February 23, 1967?

Ferrie's record as a homosexual was court and public record. It was well known. How well

known and how public we shall soon see as we look into what was available, not of interest to the government, not included in the Report or the evidence. Is it conceivable that *after he died* it "would be a source of embarrassment to innocent persons," none of whom among the living wanted his body (only two people attended his funeral)?

So much for this "exhaustive" investigation that "washed out" the charges; so much for the "very substantial" investigation that Liebelier praised while pretending he had no responsibility; for the "double checking." This is how the FBI "picked" Ferrie "clean," part of the untold story of Oswald in New Orleans.

Chapter 8 FERRIE PRIVATE, FERRIE PUBLIC

How much do the available FBI and Secret Service reports add to public knowledge about David William Ferrie? What values does Congressman Ford's "proper analysis" by the "proper authorities" add to what appeared in the press? Certainly the Secret Service and the FBI, during the days of the investigation, were "proper authorities." Until he signed the Report of the President's Commission, Congressman Ford was a very proper authority. But very proper, very authoritative.

Did he know as much about David William Ferrie after reading these FBI and Secret Service reports (had he the time) as he would, for example, if he had written Mrs. Shirley Martin, of Owasso, Oklahoma?

Mrs. Martin loved President Kennedy. Like other Americans, she was stunned by his assassination. Like very few others of those many dissatisfied with the Report, she determined to do something. Ever since, she has been conducting her own research and investigation, while caring for her five children, husband and home. For this she has been ridiculed by quick-buck artists capitalizing on the unwillingness of the press to believe and acknowledge the government could be so wrong in the official assassination accounting and its willingness to pay for slanders.

As I was finishing *Whitewash II: The FBI Secret Service Cover-Up* I received an anonymous tip that checked out 100 percent accurately about an unnecessarily mysterious retired Army colonel about whom we shall be reading. Later I learned my modest, remarkably intuitive and eminently correct informant was Shirley Martin. Some of the newspapers from which I shall quote are from her available files. Without doubt, she would lend them to Congressman Ford and his associates.

Closer to home, in Washington, there is Mrs. Vivian Gardner, a former newspaperwoman and widow of a newspaperman, who similarly would have helped him as she helped me.

Despite contrary contentions once the Garrison investigation embarrassed the federal government, the Commission made no Ferrie investigation. Had it inquired into his character, his

capacities, it might have determined, on the basis of only the gossamer threads in these FBI and Secret Service reports and public knowledge so little enhanced by them, that Ferrie could have been looked into. Once this decision was made, all of subsequent history could have been different.

For Ferrie had both physical and mental capacities that made others fear him. In the preliminary hearing on the "Clay Bertrand" case in New Orleans ending March 17, 1967, one of defense counsel, in his appeal to the judges, assailed the main witness, Perry Raymond Russo. According to the Associated Press quotation of his remarks, Defense Attorney William Wegmann said, ". . . the only worthy thing of Russo's testimony is that he knew David Ferrie and feared his intelligence . . ."

Ferrie was known as a homosexual and did not fear exposure as would some of his mates. His grip on young men rendered parents powerless over their sons. February 26, 1967, New Orleans *States-Item* reported testimony that the parents of one of Ferrie's young partners contacted Russo in an effort to break "Ferrie's hold on her son."

Before he lost his job as an Eastern Airlines pilot cause of his homosexuality, Ferrie was welcomed as a speaker by respectable organizations. For example, according to the *States-Item*, he spoke before the New Orleans Junior Chamber of Commerce on December 9, 1955, that airplane instrument panels would be simplified, requiring fewer instruments, perhaps fewer than a dozen. Even after his disgrace, he addressed the Exchange Club and others.

To some of them he spoke with great violence. Because military groups are not notoriously moderate, this comment by George Lardner in the Washington *Post* of February 26, 1967, is an indication of Ferrie's intemperance and judgement:

In July, 1961 . . . he spoke to the New Orleans chapter of the Military Order of the World Wars on "Cuba -- April, 1961 Present and Future," but he was cut off by a chapter official who found his remarks offensive. Just what Ferrie said is unclear, but one man present is reported to have said Ferrie complained sharply about "The President

of the United States and the Commander in Chief of our Armed Forces, apparently for the failure of the Bay of Pigs invasion.

After the District Attorney's great interest in him was known, Dave Ferrie was able to con the press as he had the FBI (which, quite possibly, was more willing to be). As he had directed the attention and conceptions of the FBI, so he did with the usually perceptive, tough-minded and suspicious reporters. His public relations were excellent, He refused TV exposure, knowing he would not come across sympathetically. Concentrating on the press, he wholesaled his twisted thinking all around the world.

First, he earned their confidence by speaking to the *States-Item* when the story broke. This is the "I've got nothing to hide" technique. It makes one wonder if, in a manner unknown, he could have been their original tipster. The publicity hurt the investigation and intimidated witnesses. The wire services had picked it up for the big play -- but Ferrie had been there coloring it his way, in the beginning; attention-getting and mind-fixing part of the news story.

However, in speaking to the New Orleans *States-Item*, Ferrie did not attribute official interest in him to Martin. Having either forgotten his successful ploy of three years earlier with the federal police or having changed his approach, he said that it was Edward Voebel's appearance on television that resulted in official interest. Although stories originating in New Orleans continued to attribute Ferrie's troubles to Martin, who at the same time was being maligned in the press, the New Orleans paper used this item first on February 18 and repeated it four days later, without reported protest or complaint by Ferrie.

AP began the second-day story of February 18 with him and gave him most of the space and all the "breaks." They quote him as saying "that the District Attorney's office" had "told him that it had 'positively' uncovered a plot in New Orleans to assassinate Kennedy." Although he had "undergone questioning," he is sympathetically quoted as saying, "I couldn't figure out what it was all about."

It then picks up and plays his deception, that there was something irregular in his questioning, and makes it seem as though there were something in the FBI reports (he acted as if he knew their

contents) that the District Attorney's office could not face, something that further made him seem innocent, the victim of a persecution, a "patriot."

Ferrie "asked the District Attorney's office if he could obtain a copy of the statement (as though there were just one -- the one he typed and should have had a copy of) he gave the FBI (as though this, too, were a voluntary act on his part) immediately after the assassination. Ferrie said that was the last he heard of the matter until 'friends and acquaintances began calling me saying that they had been questioned and among other things, questioned about me.'" Evil District Attorney. Cannot face the unsullied evidence of the FBI, First In Peace, First In War!

By the end of the story, the AP was quoting Ferrie as an expert on the entire investigation. In ringing reaffirmation of the acceptable federal government line, he said, "I believe it would be fruitless to look for an accomplice." Instant expert, Dave Ferrie.

Five days later, Ferrie was the AP's psychological expert. In a story that appeared February 23, they embellished this "expert" opinion from the "psychologist" (then dead) and wrote of him as though he really had been *sane* and an acknowledged authority.

Ferrie said it was fruitless to search for an accomplice for Oswald because "my assessment of Oswald is that he would be incapable of any interpersonal relationship, especially anything as delicate as a conspiracy to kill."

This same AP story revealed the basis for Ferrie's "science": Ferrie repeatedly denied," the story says, "that he ever knew Oswald."

How is that for both science and news impartiality? Ferrie did not know Oswald and thus became an expert to be quoted internationally and on so many front pages. He had made an "assessment." What difference did it make that he insisted he did not know and had never studied or even seen the man he "assessed"?

This logic, science and evidence must have been very appealing. It appeared in exactly the same words, attributed to AP, again on February 24.

In the second-day story in the *States-Item*, on February 18, to Ferrie's revelation of the District Attorney's uncovering of the ridiculed "plot" was added this direct quotation: "Supposedly I have been tagged as the getaway pilot under an elaborate plot to kill Kennedy." Here again Ferrie lied, knowing full well this was not and could not have been the truth, knowing that Garrison had told him no such thing. This lie, too, spread all over the earth, smeared by the uncritical press. Thus did Ferrie direct the focus of the press, knowing that he could show he had been in New Orleans at the time of the assassination, could account for the immediately following days, and that Garrison knew it.

Henry Wade, Dallas District Attorney, helped Ferrie keep things out of focus. He told UPI, which prepared a lengthy story in advance for release February 25, "Rumors were flying around that he (Oswald) was supposed to go to an airport and somebody was supposed to fly him away after the assassination, but as far as I know there was nothing but rumors."

Wade can qualify as a rumor expert. The Commission devoted part of its Report to some of those he launched (R2344ff).

This line Ferrie had successfully foisted off on the federal investigators worked so well with the press that by February 25 the normally suspicious George Lardner was writing in the *Washington Post* that "before Ferrie died early Wednesday morning . . . he told me of his fears that Garrison's investigation would prove no more than a 'witch hunt.' The 49-year-old Ferrie had been interrogated after the assassination about reports that he might have been the pilot of a 'getaway plane' for the assassin and that he knew Oswald. He denied it."

This uncritical reportage of Ferrie's lies is in accord with the undeviating editorial policy of the *Washington Post*, which regards every criticism of the Report or the Commission as malicious; it has refused to review books unfavorable to the Commission.

So the *Post*, without quotation marks, on its own authority, as others did with and without quotes, palmed off as fact Ferrie's own fed-back propaganda line. Nicholas C. Chriss, writing in the Los Angeles *Times* of the same day, used the same words, coming from Ferrie: "Supposedly I have been pegged as the getaway pilot." Chriss helped Ferrie's successful ploy even more by following it with these words, "... the FBI cleared Ferrie of any involvement ..."

Even after his death, Ferrie's accepted "public relations" was working for him. For example, in this same Chriss story:

Ferrie also told Lardner that when Garrison's men summoned him for questioning last November, they said they wanted to go over ground he had covered with them in 1963 because their office had lost its copy of what he said then. Ferrie told Lardner he volunteered to obtain a copy of his statement from the FBI, but was told by Garrison's men, "No, don't do that, Don't say we sent you."

The portrait of Ferrie is of a man with nothing to hide, friend and collaborator of the hallowed FBI and more than willing to speak and speak freely. On the same day the Oakland (California) *Tribune* quoted Lardner thus: "Once you get him talking it is hard to shut him off."

Ferrie's last and continuingly successful effort did him no good personally because he died. It may benefit others. It involved Lardner again. In the *Post* of February 23, he added a Ferrie note of intrigue, a suggestion that it is Ferrie who was on the side of right, and quite possibly a threat to Garrison:

Ferrie said he was especially worried that what he said might trigger a "premature arrest" by Garrison's men. The District Attorney "knows he's got a tiger by the tail," Ferrie said, referring to himself.

If Lardner did not ask, might not others wonder if Ferrie saw himself as a "tiger" because of his connections? What sort of highest associations and inferred protection or rampant insanity could make this sick man think and say he was a "tiger"? Was he suggesting "CIA"?

He pulled off his propaganda for himself and his propaganda against Garrison and his investigation, but Ferrie's brave front began to crumble just before his death. The day he died the Associated Press reported from New Orleans that "because Ferrie had expressed fears for his life, Garrison said he provided him a temporary hideout in a motor hotel here." "At Ferrie's request," Lardner added.

What, it may be wondered, did the innocent Ferrie have to fear; what could make an innocent man not part of a conspiracy believe someone wanted to kill him? What could worry him so he went to his enemy, the District Attorney, for help?

That Ferrie got away with it, with his malodorous public record, in New Orleans where the newspaper file held his record, is astounding. Here is some of what one of the papers, the *States-Item*, had printed about him:

On August 26, 1961, Ferrie was booked in Jefferson Parish with committing a crime against nature on a 15-year-old boy and indecent behavior with three juvenile boys. Jefferson and New Orleans authorities claim he used alcohol, hypnotism and the enticement of flying to lure the youngsters into committing indecent acts.

The same day:

A search of Ferrie's home turned up numerous maps of Cuba and seven or eight World War I rifles with a quantity of ammunition. A juvenile told officers he had flown to Cuba with Ferrie on several occasions. Ferrie asked another teenager to drive a Cuban citizen to Miami, police said.

On August 29, 1961, Orleans Parish district attorney charged Ferrie with intimidating a witness in connection with the crime against nature cases pending against him. Officers said a youth told them Ferrie threatened that "a Cuban friend (of Ferrie's)

would take care of him if he didn't sign a paper saying he would not prefer charges."
(This charge was dismissed January 7, 1962.)

Bearing on this is an Associated Press dispatch of March 4, 1967, quoting a copyrighted story in the Houston Chronicle of that day, saying:

Martin told the Chronicle he asked Ferrie for a photograph of the young complainant in a morals case against Ferrie, explaining, "Ferrie had pictures of all these young kids that hung round him. He liked to dress them up in helmet liners, fatigues, and give them rifles like they were playing soldiers!"

This is Ferrie's friend and fellow detective, Jack S. Martin. The inference is unmistakably the threat reported by public authorities. This is the charge that was dismissed January 7, 1962.

February 17, 1962, Ferrie was arrested booked with extortion Police said they received information that the former pilot allegedly threatened an unidentified person in an attempt to have him influence a witness in the crime against nature cases against Ferrie.

February 28 1962, Jefferson Parish Judge Leo W. McCune found Ferrie not guilty on one of the five charges of indecent behavior with a juvenile.

November 26, 1963, Ferrie was arrested by the New Orleans District Attorney's office and booked with being a fugitive from Texas. Investigators denied reports that two other men arrested at Ferrie's apartment the same day were picked up at the request of the FBI and Secret Service. The men were identified as Patrick L. Martons (sic) and Alvin Beaubeouf (all three were released November 27 "after having been booked with vagrancy and held for investigation by the FBI and Secret Service").

This sordid record was more than publicly available. It did not have to be dug out. It was in the papers.

For example, on February 22, 1967, the *States-Item* said:

In 1961 Ferrie was booked in Jefferson Parish with committing a crime against nature and indecent behavior with juveniles. New Orleans police reported Ferrie had attempted to intimidate one witness, a 16 year-old boy who told officers he signed a

paper promising not to prefer charges against Ferrie. Other youths told police Ferrie took them on airplane flights to Houston and Corpus Christie, Texas, on different occasions. One boy told officers he had flown to Cuba with Ferrie and another reported to police that Ferrie had asked him to drive a Cuban citizen to Miami.

Thus, it was almost immediately known to the press corps that poured into New Orleans. Lardner again provides samples:

He had been charged in 1961 in Jefferson Parish with a crime against nature involving a 15-year-old boy and indecent behavior involving three juveniles. Police at the time said he apparently lured Juveniles with alcohol, hypnotism and the adventure of flying. Although Ferrie told me he "had never been to Cuba," one of the officers involved in the 1961 arrest said one juvenile told them he had flown to Cuba with Ferrie on different occasions. (February 24)

Ferrie had been both publicly and privately critical of President Kennedy for the lack of air cover in the Bay of Pigs Invasion by Cuban exiles. He had been quoted as saying that the President "ought to be shot." (February 25)

This is that same Ferrie version fed back from the federal investigative reports and represents the prettier face he was allowed to put on the ugly thing.

In a four hour interview with me shortly before he died, Ferrie alluded to the homosexual charges in his past by attempting to suggest that there was nothing improper in his relationship with young men. He said he made a "hobby" of taking "deserving youngsters from broken homes" and trying to give them a break in life (March 1)

Haynes Johnson, the Washington *Star's* Pulitzer Prize-winning reporter, made his own impressive investigation in New Orleans. It was printed, under a banner front-page headline February 27. He said about Ferrie that he was

militant . . . clearly an intelligent but disturbed person . . . regarded as something of a quick-buck artist anxious for money, but with little visible means of support . . . a

singularly repelling figure . . . (with) a preoccupation with Socrates -- constant reaction to every problem was to walk up and down beating his forehead and saying, "Now what would Socrates have done?" . . .

Two days later, the same paper told how Ferrie's associations played a part of costing him employment. Interviewed at Lakefront Airport, "A. C. Crouch, owner of Saturn Aviation Service, said Ferrie had worked for him for about three months last year. 'I fired him in November,' said Crouch, 'because I didn't like those he associated with.' Crouch also claimed that Ferrie 'had been trying to take over my business.'"

Perry Raymond Russo was working and studying at Loyola Law School when he testified in the Garrison investigation in mid-March. He had been a teen-ager when he first met Ferrie, whom he thereafter knew well. Russo testified that some years earlier he had understood Ferrie to be threatening to kill him but, looking back, he did not think so. Under cross-examination, here is his testimony as distributed by the Associated Press:

Q. How, did you meet him?

A. Through Al Landry.

Russo explained that Landry had left home. Russo said he talked to Landry's parents and told them that if there was "anyone who could alienate Dave and Al, I felt I could." (Other accounts of this testimony say Landry's parents appealed to Russo to extricate their son from Ferrie's grip.)

Russo was asked if it was true that Ferrie had once threatened his life, as a result of "intervening with a friend."

A. He wanted to talk to Al alone. I said no, Ferrie said, "I'm going to get you."

Q. How do you interpret that remark now?

A. Now I interpret it was not a threat on my life.

Two days later, United Press International quoted the lawyer's summation this way: "Mr. Wegmann said Mr. Russo was dominated by Ferrie." This evaluation is matched by a number of others. Ferrie controlled those who surrounded him by the force of his mind and by fear.

Unlike the Oswald case, where the government sought and had no qualified psychiatric appraisal to justify its unsupported predetermined conclusions about Oswald, with Ferrie there is a competent medical opinion. Dr. Nicholas Cheth is New Orleans Parish coroner. Before the three judges hearing the Shaw case he was accredited as an expert in forensic medicine and competent to testify on the sanity of witnesses.

It is Dr. Chetta who made the official determinations on Ferries death. George Lardner, in the *Washington Post* of March 1, reported:

The coroner said Ferrie was "definitely manic . . . he had paranoid tendencies, too." He apparently was a compulsive "saver" of papers, letters, pictures and other memorabilia. Police found several guns in his apartment, including even an ancient Springfield muzzle loader . . . Chetta called Ferrie a psychopath . . . a dangerous individual capable of almost anything.

To this the *Times-Picayune* on the same day added, "and a very dangerous psychopath."

Despite contrary pretenses, despite his alleged "worship" of President Kennedy, his political views were just as sick. Most papers ignored it, but in the text of those "suicide" notes found in Ferrie's apartment was this phrase, part of a tirade, so like fascist thinking, ". . . an electorate cannot be depended upon to pick the right man."

To the self-anointed "herrenvolk" it is not the citizens of a democratic society who know and select the "right man"; it is the Ferries. They would arrogate to themselves the right, believing they alone have the intelligence to do so.

Twisted in mind and sick in it and body, David Ferrie was a dangerous man, the more so because of his high intelligence and the power he held over people who considered him brilliant, rather than sick. Conceiving himself a Socrates-like figure, above the masses and a leader, the one who was right, the one who knew, with his contempt for the democratic society, by the sheer force of his manic personality he exercised great influence and control over others. His driving ambition, as he saw it, was to "free" Cuba.

That this information, what we quoted earlier, and much more that is appropriate to later chapters, is not in the available government evidence, printed or in the accessible files, cannot be due to the reflection of Ferrie's character or that of others inherent in it or to the desire of the government to protect the innocent against harm. The record on this point is too clear and too one-sided to consider this even a possible reason.

Ferrie is but one of the too many homosexuals and other sex deviates figuring in this story. Testimony in the New Orleans investigation showed he was surrounded by swarms of young men, whom he corrupted. Andrews's testimony before the Warren Commission connects the various kinds of aberrants with each other, Oswald, Bertrand and the Cuban refugees, as does the Ferrie story.

This is not because all homosexuals are of this vicious, dangerous stripe, any more than all heterosexuals are like those who rape and murder. It would be wrong to believe that this particular plot was hatched only because these participants and those around them were in so large a percentage other than normal. The plot and its execution were political in motive.

Nor is it only what is generally understood as homosexuality, the kind of departure from sexual norm that contaminates the already sickening story of the murder of the President. The degeneracy and depravity are so loathsome to most men they cannot be delineated in a book of general distribution. They are, in fact, like an extension of the classical works of the study of pathological sex. If the indulgences of these men were not already ample exposition of their illness, some of them blended their lusts with exhibitionism, performing their acts not in privacy but having motion pictures taken and shown. It is nauseating and revolting that all the combinations and permutations of the extravagant and imaginative perversions of these tortured and sick men must be part of the accounting of the assassination.

That Oswald, if it was he who sought legal assistance from Andrews, associated with the "swishes," does not mean that Oswald was himself homosexual or was what Andrews called a "swinger" -- bi-sexual. The nature of the real Oswald's sexual interests seemed to trouble both Liebel and Jenner in their interrogations of both Voebel and O'Sullivan. These interrogations were ambivalent. At no time

did the lawyers make clear their own beliefs or the answers they sought. Each, however, raised an implication of Oswald's homosexuality in the testimony quoted earlier. Each of those who had known Oswald in the Marines from whom testimony was taken or affidavits requested had his opinion sought and expressed the belief Oswald was not homosexual. Each who was in a position to know specified Oswald showed no such tendencies or interests in the presence of opportunity. The one exception was "Beezer," who arranged dates between Oswald and his, "Beezer's," sister. "Beezer" was not asked.

FBI Agent John Lester Quigley did *not* think it important to preserve his notes of the interview Oswald demanded with the FBI when the New Orleans police arrested him August 9, 1963. Quigley did think it important to type eight pages of Martello's conjectures presented as fact, political biases, and immaturities. Where any mature policeman should have been suspicious and understood the opposite, New Orleans police Lieutenant (now Captain) Francis L. Martello fell for an Oswald trick that exploited his political gullibility. Here is part of Martello's work, repeated by and released by the FBI. The deletions are mine, not theirs:

" . . . He was asked specifically at what addresses or locations were the meetings held and stated the meetings were held on Pine Street. He was asked at whose residence the meetings were held and he refused to give any further information. It should be noted at this time during prior investigation conducted, while I was a member of the Intelligence Unit, information was developed that Fair Play for Cuba Committee literature was found in the 1000 block of Pine Street, New Orleans, which was near the residence of Dr. . . . , a professor at Tulane University. This investigation was conducted by me.

"As I remember, Dr. . . . was reported to be a member of the New Orleans Council of Peaceful Alternatives which is a 'ban the bomb' group recently established . . . Knowing that Dr. . . . was reportedly a member of the New Orleans Council of Peaceful Alternatives I thought there might be a tie between this organization and the Fair Play for Cuba Committee.

"When OSWALD stated that meetings of the Pair Play for Cuba Committee had been held on Pine Street, the name of Dr. . . . came to mind. I asked OSWALD if he knew Dr. . . . or if he held meetings at Dr. . . . house. OSWALD did not give me a direct answer to this question, however I gathered from the expression on his face and what appeared to be an immediate nervous reaction that there was possibly a connection between Dr. . . . and OSWALD; this, however, is purely an assumption on my own part and I have nothing on which to base this. I also asked OSWALD If he knew a Dr. . . . , a professor at Tulane University . . ."

There is more. This is but a sample. There never was any New Orleans "Fair Play for Cuba Committee." There never were any meetings of this non-existent organization, on Pine Street or any other. If Oswald's personally manufactured literature was found there, it is indicative of what Oswald was up to, not of the "subversion" of anyone who might have happened to live near where this literature was planted. If "the expression of his face" fooled Martello, Oswald was a better actor than Martello, an officer of the "intelligence" unit, for there is absolutely no evidence of any kind of connection, no matter how tenuous, between Oswald and this professor, now resident elsewhere. Information in other Commission files shows this professor not to be what Martello and the federal police suspected.

Hoover has suppressed 36 of the 40 pages referring to David Ferrie in File 75 alone. What I have just quoted is from File 75 and is *not* restricted. How much are these innocent professors, who have nothing but their reputations and livelihoods to lose, protected by Hoover's devotion to those "guide rules" revised by his department?

The Secret Service is no better than the FBI. There are page after page of these childish speculations and slanders readily available, some printed by the Commission. The immaturities of the federal police, to most of whom anything this side of John Birch is "left" or subversive, are damagingly spread throughout the record and evidence that is not restricted. On the second of the 24 pages of the Vial-Gerrets-Counts-Rice report of December 3, 1963, which is Exhibit 3119, Martello is again quoted:

He said that an address in the 1000 *block* of Pine street seemed to be a center of activity in New Orleans for various communistic type front organizations. He said that a Dr. . . . , a professor at Tulane University, lived at the Pine Street address where numerous meetings were held.

Someone in official position who read this report after it was received in Washington underlined the name and the address.

The Secret Service embellished Martello's recollections and comments, translating his speculations into realities:

He asked him (Oswald) if any meetings were held on Pine St. and Oswald had replied in the affirmative. He said he had asked him if he was acquainted with Dr. . . . and Oswald replied he was.

At this point civil rights meetings become "communistic."

On the third page of the Gerrets-Counts report of December 6, 1963 -- the one most of which was eliminated when it was printed as Exhibit 3104 -- is this paragraph, from which I have removed the name:

Dr. . . . , referred to in report dated 12/3/63 by SA A. G. Vial, is of record in the subversive files of the Federal Bureau of Investigation, New Orleans. ASAC (acting special agent in charge) Joseph Sylvester, FBI, has requested that this office not interview . . . because of their interest in him.

There are not fewer than five exhibits printed by the Commission in which such character destruction of this one man appears, falsely, one-sidedly, without the contrary information contained in the files, and without a word from him in his own defense, if from such nebulous speculations one should need a defense in a country like ours. Now and forever more irresponsible political idiots can defame this man and his family on the basis of this misinformation a one. He is without recourse.

It is exactly the same with those said to be homosexuals. Such men are subject to all sorts of private pressures and punishments, to penalties in employment, to blackmail. An example of how the regulations were followed in this case is File 1203a, the June 4, 1964, report of FBI Agents deBrueys and Callender of their interview with Carlos Bringuier. DeBrueys translated the letter from Spanish. I quote from the seventh, eighth and ninth pages, again making the deletions that should be made to protect these men:

"Here are some loose things I have heard mentioned: The police here were looking for a certain 'Clay Bertrand' who is a pervert. They say Ruby also is a pervert. One of these individuals that was distributing handbills with Oswald has a face that appears to me to indicate that he is also a pervert. (If we follow that logic we would also have to think that Raul is the one that is behind all this 'joke.') I advised Secret Service that one of those who was distributing handbills with Oswald was working in Pap's Supermarket located on Mirabeau Avenue and who, last year, had attended Delgado Trade School. He mentioned that his name might possibly be Charles and that he regularly got out of the bus at Paris Avenue and Filmore Street. I am given to understand that this was correct but I have learned nothing more. I have given them other information, for example, that Oswald was, on one occasion after his difficulty with me, in the Habana Bar, which is just two doors from my store. Oswald asked for a lemonade and when they collected for it he said that surely the owner had to be a Cuban capitalist. On that occasion Oswald was accompanied by a Mexican. After that the Mexican returned with another Mexican to the Habana Bar. The FBI was making inquiries for them and left word that if they saw them again, to call 'here. A few days later the brother of the owner of the Habana Bar appeared and asked me to call the FBI because he had seen two Mexicans in an automobile and he had noted the license number but not the state. I called the FBI on that occasion and gave them the information by telephone. This occurred between August 15 and August 30, 1963 approximately. A certain person surmises (but this is just a presumption) that the . . . delegate of the Mexican Government here should know something, pointing out that this individual is a Mexican and the one who had been in the Habana Bar was a Mexican; also the delegate travels to Mexico and from there to Havana (the motive is not known) and added to all this the delegate is a pervert. Speculating on these things one learns that the delegate a friend of a Cuban (also a pervert) who is called . . . This . . . is also a friend of another Cuban known as Leonardo . . . This . . . was chief of something in the Zapata Swamp under the orders of Ché (Translator's note -- Ché is undoubtedly Ché Guevara of the Cuban Regime) until after the Bay of Pigs (Invasion). He speaks some Russian and some weeks ago told me he had been thinking about taking a trip to Mexico. As you will note, the majority of these things are suppositions and speculations.

"Well, Jose Antonio give my regards to all and receive an embrace from your friend, Carlos Bringuier, New Orleans"

Mr. BRINGUIER related that he made available contents of the above-translated letter with the provision that sections of the letter referring to individuals that he has suspected as being "perverts" would not be divulged to any public sources and that that section be limited for the use of the Warren Commission and the FBI only. He explained further that he did not want any of his speculative statements to be revealed publicly but had no objection to the contents of the first two paragraphs and the part regarding the person referred to as CHARLES being revealed to public sources.

Mr. BRINGUIER was able to describe the Mexican . . . delegate in New Orleans as a white male, In his late 30's . . . BRINGUIER explained he has talked to the Mexican . . . delegate in New Orleans on various occasions during the past four months or so and states that on one occasion, the Mexican . . . delegate mentioned that he had been to Cuba. He does not know whether the Mexican . . . delegate told him this a month or four months ago nor does he know when the Mexican . . . delegate was in Cuba, that is to say, whether it was recently or quite some time ago.

BRINGUIER did recall that in one of his conversations with the Mexican . . . delegate, the later did say that he could go to Mexico inasmuch as Mexico and Cuba maintain friendly relations, one with the other. BRINGUIER also recalls the Mexican . . . delegate mentioned on one occasion that he could get people out of Cuba. BRINGUIER then recalled there was a rumor that LEONARDO . . . , referred to in the above translated letter, was allegedly planning to go with the Mexican . . . delegate to Mexico some time ago so that the Mexican . . . delegate could go to Cuba to get LEONARDO . . . 's sister out of Cuba. BRINGUIER does not know if there was any truth to the rumor but states he does know that LEONARDO . . . and the Mexican . . . delegate are back in New Orleans from an alleged trip to Mexico and LEONARDO . . . 's sister is still in Cuba.

BRINGUIER remarked that ORLANDO PIEDRA, who was formerly head of the Federal Police in Cuba under the Regime of FULGENCIO BATISTA, has told BRINGUIER that he feels quite certain that the Mexican . . . delegate is "OK." BRINGUIER states this meant that in ORLANDO PIEDRA's opinion, the Mexican . . . delegate is not pro-CASTRO.

This is how the assassination of President Kennedy was investigated.

However, there is no question of the broad involvement of whatever nature of a number of people who are or are alleged to be perverts. Their involvement, I suggest, is not because of their homosexuality but because of their beliefs or for other reasons. The most intriguing, the most unorthodox of these offbeats and the most important is the "swinger," the mother-hen of his fellow deviates, the bi-sexual Clay Bertrand.

Chapter 9

CHECKED OUT AND FOUND CLEAR

Shielded by a high white wall, the house at 1313 Dauphine Street in the heart of the Vieux Carré in New Orleans has a split personality. It is a luxurious showplace, with a small fountain bubbling in its patio on the outside and silk on the walls inside. It combines the best of two eras, the charm and antiquity of the old French Quarter and the convenience of a modern swimming pool. Ornamented with statuary and edged with a brick coping, the pool itself has a dual character. It is a place of beauty and of recreation, with the spirit of the modern world and the splendor of the more leisurely past.

It is a small house, low and narrow, the shingled shed roof steeply sloping opposite to what one would expect, toward the front, which is really the side. The Vieux Carré runs from northeast to southwest. The northeastern boundary is Esplanade Avenue, quiet, dignified, and divided by well kept grassy plot. On the northwest, the quarter is bounded by North Rampart Street. Dauphine is separated from Rampart by Burgundy. The house at 1313 is on the northwest side of Dauphine, one building and a courtyard from Esplanade Avenue. A bus stops between it and the corner. An attractive, antique-style street lamp has been installed directly opposite the street entrance to 1313, but it sheds no light in the house, for that wall is solid, unbroken by a single window or a door. The brick wall, cemented over and painted sparkling white, rises from the inside edge of the narrow old gray-slab sidewalk. Entrance to the residence is through the courtyard whose old but freshly painted blood-red door, brilliant in the white brick courtyard wall, is a single low step up from the sidewalk. Twenty inches above the top of the door is a row of jagged, white-painted bottles imbedded in concrete, tops broken off. These were added after mid-March 1967. They guard the wall, from the house toward Esplanade Avenue, ending in an iron fence on the inside. Its graceful curve is just visible from the other side of Dauphine Street.

On the opposite side, toward Barracks Street, is a taller, gray-painted house whose windows are about four times the height of the two on the far wall of 1313 that are visible from the street. A narrow alley separates the two homes. The graceful, ornate roof and typical French iron-railed balcony are a

warm contrast with the cold but privacy-insuring, stark, unbroken plain face of the house at 1313, whose immaculate hardness offers a single untidy eye-catcher: Directly over the door, one of the broken bottles is missing and another leans crazily, as though a determined intruder had defiled its formidability.

This is a cold house and a strange one. Spotlessly painted, the incongruous whiteness broken only by the blood-color of the door and the black trim of the tiny windows, most of it is invisible. The wrong slope of the roof is an additional jarring note, but then, the house itself is a conspicuous departure from norm, from what is normal in house and from what is normal in the French Quarter. There is nothing else quite like it. Further, it is, save for the courtyard, smothered by the three properties surrounding it. They seem to press against it, held off only a little by the dense, dark green bushiness of trees only the impenetrable tops of which are discernible. It is as though the other homes confine this one because it does not fit, because it is an outsider, so prominent a departure from the normal.

One enters the house through the kitchen. Its upper-floor bedroom is said to have unusual appointments.

In its earlier life (for the house, as I said, is of dual character), the dwelling was a carriage house. It is one of a number of such places in the Quarter bought and restored by a man with an eye for beauty and for profit. In 1950 he spent \$9,500 for a ramshackle place, put \$1,500 into it, and sold it for \$15,000, having remade it in keeping with the spirit of the past. He then began a campaign of renovation that earned him the local reputation of a one-man restoration society. He has rebuilt fifteen old houses.

With the house at 1313 Dauphine Street, the one that caught his eye and in which in early 1967 he was living, his innovations were regarded as radical by the official Vieux Carré Commission. Traditionalists, they feared that in the history and culture of the French Quarter there was a lack of historical precedent for a swimming pool.

In this house lives a man who, according to New Orleans' *Town and Country Magazine* of March 1967, was one of the 35 "most important men in New Orleans." Another, in one of the odd juxtapositions of this story, was District Attorney Jim Garrison. The renovator who transplanted himself into that house

is an authentic hero, a man of culture, a successful business and civic leader, wealthy, and a dramatist. In the peace and quiet of the home whose charm he had recaptured, he pursued his varied interests, supervised his investments and seemed to enjoy an active retirement that began in late September 1965, when he was but 52 years old.

From time to time throughout his life, which had begun in tempestuous Kentwood, near the Mississippi border, in Tangipahoa Parish (known as "Bloody Tangipahoa" for its violence), where the paternal grandfather for whom he was named was then sheriff, this man achieved prominence in a number of fields. During World War II, as a major on the staff of the invasion army for Northern France and Belgium, he was in charge of communications and supply. He rose to become his unit's deputy chief of staff. When he left the army in January 1946 he was a "Chevalier of the Order of the Crown of Belgium" and a "Chevalier de L'Ordre du Mérite Commercial" of France. In addition, he had the United States Bronze Star.

It is as it should have been that his decorations were not for killing, for he is a man with the reputation of detesting violence. He once said he would not have a gun in his house.

"If they got rid of all the guns in the world, the world would be a better place in which to live" is the way he put it.

This man with this professed hatred for violence is fluent in four languages. In addition to his own creative writing, he was, in the late winter of 1966-7, translating a Spanish drama into English. One of his own five plays is still performed by little theater groups. It was made into a movie under the appropriate title, "Men Without Women." He lives alone, without women, for he is a bachelor. His interest in drama is high. Despite his attachment to his house and the Vieux Carré, he was planning to move to England. There he is well known in London society. He had once dined with Winston Churchill. On a recent trip to London he had considered buying the rights to plays he might produce there.

This dark-complexioned, six-foot-plus, 200 pound muscular man, with tightly curled gray hair and a military bearing, is a self-described "dreamer and idealist." He envisions a close-knit world,

without tariffs and with the lot of those hungry millions in the underdeveloped lands improved by commercial relations with the United States. This, he said he hoped, would turn them from communism.

With these views it is appropriate that on March 8, 1946, his appointment to the staff of the International Trade Mart was announced. Having had experience in advertising and public relations in New York, it is also appropriate that he was named promotional director. In the ensuing 18 years, he became managing director, traveled extensively on its business throughout the country and the world, and stayed with the organization from its relatively humble beginnings on Camp Street until the time of the dedication of the new skyscraper that now houses its diversified interests at the head of Canal Street. His retirement in late September 1965, a surprise to most associates, was accompanied by the awarding of additional honors for his civic dedication, including the Order of Merit of the City of New Orleans.

His seemingly premature retirement came a month and a half after first publication of *Whitewash: The Report on the Warren Report*, an event with which there may be no connection. He is one of the important figures in my first book.

Then, on the first of March 1967 this man emerged at the center of the New Orleans investigation.

Almost too late for the major evening television news casts on the east coast, the bells on teletype machines announcing major news events changed imperiously. On the Associated Press ticker, the automated keys at 6:45 P.M. eastern standard time clicked out:

BULLETIN. New Orleans, March 1 (*AP*) -- Dist. Atty. Jim Garrison's chief investigator today arrested Clay Shaw, a former managing director of the International Trade Mart, for "participation in a conspiracy to assassinate President John F. Kennedy." Shaw, 54, was taken into custody after several hours of questioning.

In that special staccato of the teletype machine, the rest of the story rapidly followed the 5:45 P.M. New Orleans time announcement, interrupted from time to time, as it was being written, by

accounts of the other events of the day.

Clay Shaw, the name by which he is known internationally, Garrison charged, is Clay Bertrand.

Clay Shaw, the dignified, cultured, respected and honored civic and business leader, the man with the eye for beauty, the restorer of the ancient culture of his city, the world-traveler, playwright, "dreamer and idealist," according to (Garrison, is the Dr. Jekyll whose Mr. Hyde is the "swinger" Clay Bertrand, associate of the Latin "swishers," the man who sought Andrews's legal assistance for the then-accused Presidential assassin, Lee Harvey Oswald.

Disbelief was headlined and sneeringly written into the news stories. Shaw was a man of wealth and position, respected and secure in society; Oswald was a misfit, unknown save for his strange political adventures, a man who never earned a living wage, from an entirely different world.

Embattled, Shaw immediately surrounded himself with a firm of New Orleans attorneys to face a series of legal struggles.

His arrest was still a sensation the next day, March 2, when Acting U.S. Attorney General Ramsey Clark appeared before the Senate Judiciary Committee for confirmation. Clark was besieged by reporters as he left the hearings. He also was possessed by the same lemming-like compulsion that characterized all the work of the Commission. Without so intending, perhaps not realizing it -- indeed, while making clear he desired the opposite -- he became Jim Garrison's strongest endorsement. The Attorney General of the United States confirmed Garrison's charge that Clay Shaw is "Clay Bertrand." Neither Clark nor the questioning reporters seem to have realized what he had said and done.

The Associated Press account appeared in the Washington *Star* under the headline, "FBI Probed 'Plot' Suspect, Clark Reports; Arrest Is First Made By Garrison In His Investigation." It reads:

Atty. Gen. designate Ramsey Clark said today the Federal Bureau of Investigation already has investigated and cleared Clay L. Shaw -- a businessman arrested in New Orleans -- of any part in the assassination of President John F. Kennedy.

Clark made the statement to reporters moments after the Senate Judiciary Committee approved his nomination to become Attorney General.

Shaw, wealthy retired director of the International Trade Mart, at New Orleans has been booked on a charge of "conspiracy to commit murder." In the Kennedy assassination investigation being run by New Orleans Dist. Atty Jim Garrison

In a brief corridor interview Clark said the Justice Department knows what Garrison's case involves and does not consider it valid.

However, the former chief counsel to the Warren Commission J. Lee Rankin, said earlier that as far as I know, we've never heard of this person (Shaw).

The Warren Commission's Report did not mention Shaw.

Clark said Shaw "was included in an investigation in November and December of 1963."

"We have the evidence and we can assume what their conclusions are," Clark said.

On the evidence that the FBI has, there was no connection found "between Shaw and the assassination of the President in Dallas on Nov 22, 1963, Clark said.

"He was checked out and found clear?" Clark was asked.

"That's right," Clark replied.

Little change was made in the dispatch for the morning papers, summarized by the headline, "Shaw Cleared, Says Clark." But the one change that was made was deletion of the quote from J. Lee Rankin. The press was already closing ranks behind the government.

George Lardner understood the gaffe. His Washington *Post* story on March 3 contains this paragraph, which quotes an additional semi-official acknowledgment:

The Attorney General's remarks consequently amounted to an acceptance of Garrison's charge that Clay Shaw and "Clay Bertrand" are one and the same. "It's the same guy," said one source in the Justice Department.

The touted "thoroughness" of the official investigation of the assassination is disclosed by the quotation from Rankin, "As far as I know, we've never heard of this person (Shaw)."

From the official record, Rankin is correct. This makes him a terribly wrong man who ran an immensely wrong "investigation." Like the name "Bertrand," "Shaw" does not appear in the Report. Nor does he appear a single time in all fifteen large volumes of testimony or the eleven of exhibits. The Commission never investigated Shaw. His name does not appear in the 300-cubic-foot bulk of its files.

This was confirmed to me by the men who are its custodians, immediately and on several subsequent occasions.

But if the FBI could not find "Bertrand" for the Commission and if the Attorney General implies Bertrand is Shaw, how could the FBI have investigated and "cleared" Shaw and not have been able to produce "Bertrand"?

Here is the petard on which all officials are hoist. The Attorney General disclosed that the FBI had investigated and "cleared" Shaw. The chief of the Commission staff "never heard of" Shaw. So evidently the FBI never told the Commission of its "investigation" for the Commission and its "clearance" of Shaw? Why, then, should it have investigated Shaw to begin with? Only because he as Bertrand. Did they never tell the Commission that? Far from exonerating the Commission, this indicts it.

The Commission concluded Lee Harvey Oswald was the lone and unassisted assassin. Its major effort was Oswald's biography. It checked into almost every breath he drew. Liebler, when it seemed expedient to disassociate himself from the then more controversial aspects of the Report, said this history of the accused assassin was his function. Recall that the government traced and chased all over the world those who traveled on the bus to Mexico City with Oswald, allegedly to collect every particle of information, no matter how minute, how seemingly inconsequential. It is this staggering biographical quest that the Commission uses as the *non sequitur* dismissal of the entire matter of The False Oswald, saying it knew all about the real Oswald.

There can be no evasion of the Commission's responsibility for the most exhaustive checking out of Dean Andrews's testimony that he had been asked by Clay Bertrand to defend Oswald from the assassination charge. This is the same Dean Andrews to whom the same Clay Bertrand had sent the (presumably) same Lee Harvey Oswald for counsel during the summer of 1963. Each of these approaches to Andrews, by and on behalf of Oswald, from the Commission's own doctrine of Oswald's solitary guilt and its own practice of learning everything about him, demanded the most diligent investigation. Either the Commission investigated thoroughly or its investigation meant nothing.

That it did not is clear from the Report, where the airy dismissal that is both an evasion and an acknowledgment of no investigation appears in a single paragraph on page 325. In it there is no reference to or indication of any investigation that can be so designated by honorable men. This paragraph is worth repeating:

The Commission has also noted the testimony of Dean Andrews, an attorney in New Orleans. Andrews stated that Oswald came to his office several times in the summer of 1963 to seek advice on a less than honorable discharge from the Armed Forces, the citizenship status of his wife and his own citizenship status. Andrews, who believed that he was contacted on November 23 to represent Oswald, testified that Oswald was always accompanied by a Mexican and was at times accompanied by apparent homosexuals. Andrews was able to locate no records of any of Oswald's alleged visits, and investigation has failed to locate the person who supposedly called Andrews on November 23, at a time when Andrews was under heavy sedation. While one of Andrews' employees felt that Oswald might have been at his once, his secretary has no recollection of Oswald being there. (R325)

Forgetting the shady formulations, like "Andrews . . . believed," inferring that it was not so, the rest of this sentence says, "investigation has failed to locate the person who supposedly (another propaganda word) called Andrews . . ." Here there is a footnote, number 757 of that chapter. That reference is to a single page of Andrews's testimony (11H331) and two exhibits, 3094 and 2899. Interestingly and incriminatingly enough, this testimony is not in reference to the "heavy sedation" to which the Report here refers in a most prejudicial way. It is to Andrews's inability "to locate any records of any of Oswald's alleged visits."

In the cited exchange, Liebler expressed "my understanding" that "you were unable to find any such record." Andrews's response of only three lines twice refers to what the author of this section of the Report suppressed from it and the FBI's knowledge of it, that his office was robbed and the files in which this one might have been included were taken. He testified, in response to Liebler's question abbreviated above, "Right. My office was rifled shortly after I got out of the hospital, and I talked with the FBI people. We couldn't find anything prior to it. Whoever was kind enough to mess my office up, going

through it, we haven't found anything since."

Readers of detective fiction, plain, ordinary people, not learned counsel, law school professors, would have found themselves intrigued by this burglarizing of an office in which only minor files of inconsequential clients were taken. Why would anyone risk imprisonment to steal a few unimportant papers? Because to him or to whomever he served they were important. The robbery of Andrews's office appears, from all I have read in the Commission's 26 volumes of evidence and its immense files, was the subject of no interest or investigation. Had it been -- had the briefest reference been made to Andrews's reporting of the theft, by merely the inclusion of another part of a page among those thousands in the eleven enormous ones of documents -- Liebler or whoever wrote this snide and dishonest chapter of the Report could never have gotten away with it.

The suppression from the Report of this detective-story-like but quite meaningful fact, especially because all but the single word "right" of the 43 words of Andrews's response deal with the robbery and are the cited justification for the language of the Report, is trickery and deception. No better can be said for the lack of reference to Sam Monk Zelden's confirmation of Andrews, quoted earlier. It, too, is suppressed from the "evidence" but it, too, was in the Commission's files.

Exhibit 2899 (26H356-6) is a careful, prejudicial and somewhat less than honest selection of the brief documents we quoted earlier. The first is the very short FBI report quoting Andrews's doctor as saying the lawyer was "under heavy sedation" and quite erroneously offering the opinion, already known to the Commission staff to be false, that the doctor "did not believe Mr. ANDREWS was capable of using the telephone." As indicated previously, Andrews did, in fact, use it -- repeatedly. Its selection rather than Andrews's own sworn testimony that he was under sedation served to attract attention to this invalid opinion. It is not accidental. It is an unfortunately accurate measure of the integrity of the investigation of the assassination of President John F. Kennedy.

The second of these short FBI reports is the one that says Andrews got "nose drops and cough medicine" and "phenobarbital," hardly the represented "heavy sedation." The third is the FBI report that

says there is no record of Clay Bertrand in the phone book (which the FBI used selectively -- not when it needed to and such important witnesses as the mysterious colonel, for example) or in the files of the police or credit bureau.

The best that can be said for referring to Exhibit 3094 (26H704-5) is that reference was avoided to the corrupted version of it that also exists in the "evidence" as Exhibit 3104 (26H732-3). From 3104 most of the original report was just cut off. But it is presented as though it were genuine. Reference to Exhibit 3094 is footnote flackery, for it is redundant. It also serves to highlight Secret Service dishonesty, for in these three single-spaced tightly typed pages of a pretended report of what Andrews said there is no reference to the theft of these files from his office.

So we are back at the question of the integrity of the Report and the staff. There was no investigation of this part of the crucial testimony Andrews gave, that Oswald had come to him for legal assistance and that a man known to Andrews as "Bertrand" (not "Bertrand" but "the person" in the Report) had asked him to defend the arrested Oswald. There can be no excuse for not investigating this. The Commission did not, its own evidence shows it did not, and it could not have without having the name "Shaw," which does not appear in its Report, its evidence, its files, or the mind of its chief of staff.

Because these are grown, mature, respected and competently professional men who staffed the Commission and the FBI, it is difficult at this point to avoid asking whether any of them engaged in a conspiracy to cover up. They knew about Andrews's testimony, knew it was essential, pretended to address it only to dismiss it in the Report, to lie about it; conducted no investigation of it, did not order the FBI to investigate it; and the FBI did make an investigation and was silent about it and its results.

If any on the staff of the Commission knew about the FBI investigation that showed Shaw and Bertrand to be identical, how could the Report not mention it? How could it not be in the evidence? How could it not be in the files?

Yet from the Attorney General's own statement, the FBI investigation was completed before the Commission was organized and functioning. How, then, could the FBI, from director down, have failed

to communicate this knowledge to the Commission that was charged by the President of the United States with gathering, evaluating and reporting upon "all the facts and circumstances surrounding" the assassination (R471)? Especially when the very first charge imposed in Executive Order 11130 on November 30, 1963, was this:

The purposes of the Commission are *to examine the evidence developed by the Federal Bureau of Investigation*. . . .

Hoover told the Commission (*Whitewash: Il p. 223*) that he ordered his FBI to "get all the details," that "I have read all the requests that have come to the Bureau from this Commission, and I have read and signed all the replies that have come [i.e. from the FBI] to the Commission. In addition, I have read many of the reports that our agents have made . . . But I think it is essential that the FBI investigate the allegations . . . so it can't be said we have ignored them . . . I myself go over these [the reports] to see that we haven't missed anything or haven't any gap in the investigation . . ."

With the fabled FBI making the investigation, with its director, the man who knows the business better than anyone else because he invented it, personally in charge and supervising everything, seeing to it "that we haven't missed anything," is it conceivable that the FBI *did* investigate "Clay Bertrand," prove he is Clay Shaw, and not in *any* way involved, and not tell the Commission for which it conducted its investigation?

There may be further complications. In its game of investigative musical chairs there is this solemn reporting by Agent Regis Kennedy on November 27 that "JUNIOR O'ROURKE, United Taxi Cab driver, who operates on the corner of Bourbon and Conti Streets . . . has extensive contacts in the New Orleans French Quarter, particularly among the homosexual element, advised that CLAY BERTRAND was unknown to him and that inquiry among sources known to be familiar with the French Quarter had been negative to identify this person."

Perhaps of no consequence, the black-and-white Xeroxed copy of this report provided me by the General Services Administration has a blue correction of the word "unknown." The "un" is hand lettered above the single space between "was" and "known." Is it possible that in the original this report actually said that Junior O'Rourke knew Clay Bertrand?

Then a "Clay Gould" turned up less than four blocks from Shaw's home.

Betty Parent, whose address is 936 Dauphine Street, told Kennedy on November 30 what shook him so he wrote a report more confused than usual. His first paragraph, containing her address, name and qualifications, ends by saying she "advised that she has been unable to determine any information that would identify an individual by the name of CLAY BERTRAND." No other name is mentioned.

But the second brief paragraph reads,

She advised that the only individual she could associate with either an individual as named CLAY GOULD who associates with the sex deviates in the New Orleans French Quarter. She advised that she had no reason to believe CLAY GOULD is identical to CLAY BERTRAND other than the similarity of the first name.

There are but a dozen lines in this report. There is no reference to any name other than "Bertrand" or "Gould." Yet there it is, in FBI black and white, "either name." What, then, is the other name Kennedy asked her to identify?

Could it have been "Clay Shaw"? If so, why is it not in the Report? Whatever the other name, why is it not in the report of Regis Kennedy, the agent who so hounded and harassed Dean Andrews that the badgered lawyer told him to put anything he wanted in the report? And had he no picture of the Clay Shaw they investigated to show her? Or she a description of the Clay Gould she knew for him?

The Attorney General, like the President, is but a human being. There is a limit to what he can keep under personal control, what he can know of his personal knowledge. What he said to reporters on leaving the Senate committee room, without doubt, is what he had been briefed on by his subordinates.

All those feet he put in his mouth were not his own.

His plight was made no easier by his statement of the day before. Robert E. Thompson of the New York *World Journal Tribune* wrote a story that appeared under the headline, "A JFK Plot Doubtful, Says Clark." Altogether, it was an inauspicious beginning for the new Attorney General's term of office and an unfortunate series of comments he gave Thompson:

Washington, March 1 - -The nation's newly nominated Attorney General, Ramsey Clark, is extremely skeptical about the evidence and ethics involved in a New Orleans investigation of President Kennedy's assassination.

* * * * *

Shortly after Johnson sent his nomination to the Senate, Ramsey Clark, 39, told reporters that he is "very doubtful" that New Orleans district attorney Jim Garrison has uncovered any new evidence about the assassination.

He said: "It is very difficult for me to see how a law enforcement officer in a state or local government -- if he really had any evidence -- would fail as his first act to turn it over to the Secret Service or the FBI.

* * * * *

If Garrison has any information that might shed additional light on the assassination, Clark said, he has a duty to turn it over to federal authorities.

While Clark did not disclose the source of his skeptical attitude, it has been learned that the FBI has scrutinized all aspects of Garrison's probe very carefully. so far, federal authorities appear to place little credence in Garrison's sensational suggestion that Lee Harvey Oswald acted in concert with a pro-Castro plot to kill the president.

Federal officials have privately expressed a cynical attitude . . .

Clark's timing could not have been worse, his cracks about "evidence" and "ethics" less opportune. He resorted to the old and much abused propaganda device about "new evidence" as though there had been anything wrong with the "old" evidence ignored, misrepresented or destroyed and, as the next day was to prove, suppressed only the wedding of the most conservative elements of the country to the official account and to J. Edgar Hoover prevented an outcry over Clark's abuse of "States' rights." Here was the Attorney General of the United States, who had no jurisdiction over the commission of a local crime and who had nothing to take to court, insulting a District Attorney who was in a legal action and saying that "if he really had any evidence" his "first act" should be "to turn it over" to the federal

government. Further, Garrison had *not* said pro-Castro and he *had* said he had no evidence Oswald had killed anyone.

Garrison, wisely, made no response. He might have asked, For what purpose? To gather dust or again be suppressed?

No less inept was the revelation that the FBI was preparing to oppose Garrison, that it was investigating him: "The FBI has scrutinized all aspects of Garrison's probe very carefully."

Nor did Garrison make the proper and obvious request, that the Federal government, which had evidence but no jurisdiction, turn its evidence over to the "proper authorities," those in New Orleans.

Echoes of the Francis Gary Powers U-2 flight went unheard in the White House March 2 when the President was asked about these newest developments. The reporting of it by UPI reads:

In Washington yesterday, President Johnson said he saw no reason to change his previous statements accepting the conclusions of the Warren Commission report, which concluded that Oswald acted alone. Attorney General Ramsey Clark said the FBI cleared Mr. Shaw after questioning about the assassination in 1963.

If the President had nothing to say, he should have said nothing. He should not have become a partisan, not have prejudged the coming court proceeding.

Once again the gods were unkind for it was on March 2 that Garrison searched that charming bit of the past at 1313 Dauphine Street, in New Orleans. He had a court order, made public the list of what he seized, and found what is not the customary cherished treasures of a quiet, cultured retired gentleman of the Old South, even if he is a "dreamer" and "idealist." Shaw's property inventory comes more from the Marquis de Sade and Krafft-Ebing than the home of a man who said of guns, "I wouldn't have one in the house. If they got rid of all the guns in the world, the world would be a better place in which to live."

But Clark had said his piece, explicitly, and was properly understood. Newspapers of March 4 carried these two AP repetitions of the previous night's story:

U.S. Attorney General Ramsey Clark said in Washington Thursday that the FBI had investigated Shaw late in 1963 and cleared him of any link with the assassination. The FBI refused to say why Shaw was questioned.

Earlier in the day the new U.S. Attorney General, Ramsey Clark, said the FBI had investigated Shaw late in 1963 and cleared him of any link with the assassination. "On the evidence that the FBI has, there was no connection found," Clark said in Washington.

By the time Clark checked himself or heard the "Whoa!" from an adviser, it was too late. He had said what he had said. It was on record. But it did not, for the moment, hurt Clark or the government. The *New York Times* found that it "caused a certain amount of bewilderment" but most of the papers ridiculed Garrison and his investigation, and emphasized that the FBI had "cleared" Shaw. This "clearance," a function of the FBI only since the Congressional witch hunts, was widely played by the headline writers. Its public relations yield to the accused Shaw was only a little less conspicuous than a stroll down from Olympus.

Had he been one of the CIA's most important agents, Shaw could hardly have expected as much from the government.

On Sunday, March 12, CBS telecast a taped "Face the Nation" program. On it a number of questions stemming from the "bewilderment" left by his March 2 statement were directed at Clark. His policy had modified in these ten days. When asked about Shaw, the really embarrassing question, he parried, saying, "in view of the fact that there will be a hearing . . . I think it would be inappropriate for me to comment on the case . . ." When a similar question was repeated, Clark reiterated, "I don't think it would be fair for me to really comment in any way on that in view of the State proceeding."

This is a perfectly proper attitude. The Attorney General of the United States should not comment on a state proceeding. But Clark did. On only the Shaw gaffe was he silent.

He never stopped slurring and deprecating Garrison, all the while explaining the inappropriateness of any comment. He assaulted Garrison because "he has not offered us any of the evidence that he may have" and because that seemed to him to be "the natural thing for any prosecutor to

do." Why he did not say and, alas, none of the newsmen thought to ask him. Why this is "natural" is not at all dear, because there was no federal jurisdiction and no pending or contemplated federal action. That, too, Clark made clear. He concluded the answer that answered nothing with a reaffirmation of the official position, hiding behind the formulation of it he attributed to Hoover.

In this appearance, had it been anyone other than the Attorney General, one would be tempted to call him a liar. Because it is the Attorney General, custom and polite usage demand that milder language be employed, such as "he was misinformed" or "he was unaware of the true state of affairs." However it is sliced, it is still delicatessen.

Here are a few examples, all, of course, the proper federal non-intervention in state matters:

"There was a comprehensive investigation by the FBI involving these New Orleans allegations and much, in fact, most of these reports have been made public and they support the conclusion of the FBI that Oswald acted alone."

Not "much" and certainly far from "most" of these reports have been made public. Most are suppressed, and in Clark's own name. The case of File 75, already quoted, is overwhelming: 36 of the 40 pages on Ferrie are suppressed. What is not suppressed supports no "conclusion" on Oswald's guilt and does not in any way address it. The only use to which these reports can be put is the opposite.

When George Herman, an excellent newsman with better than average knowledge of the case and one of the few to examine the Archives, pressed the new Attorney General, he got more misinformation. Herman pointed out that within 24 hours of Ruby's death, material previously withheld, dealing with Ruby, "was released in the Archives."

"Now, Mr. Ferrie has been dead several weeks, and the Ferrie material is still classified and I wonder if that is at the order of the FBI and the Department of Justice?"

"No," the Attorney General replied, "those documents are under the general jurisdiction of the General Services Administration at this time."

The first part of the answer is false. It is the FBI that specified which of its files would be suppressed. Nobody else -- the FBI. It is within the FBI's authority to do so. Had the FBI exercised its power properly, I would go further and say it is the FBI's responsibility, for there is, indeed, the possibility of hurting innocent people. Innocents have been hurt.

The second part of the answer is nonresponsive. In these circumstances, a nonresponsive answer is a false one. The question was, is the suppression "at the order of the FBI and the Department of Justice?" To respond by saying the General Services Administration has "general jurisdiction" is to say that it is the General Services Administration that decides what is to be seen and what denied. The "general jurisdiction" of the General Services Administration is plainly and simply that of a custodian. It is nothing else. It is the FBI that suppressed these reports.

Herman then asked, "That implies that you believe, then, that the General Services Administration believes that the Ferrie material has no relevance?"

Clark's answer was, "That is true."

His final comment on the New Orleans investigation, the one he said it would be improper to comment on, was, "I find it disturbing and I find it saddening." This line got the headlines the next day, where the papers did not play down the New Orleans part.

Clark's intervention, his throwing of the weight and influence of high office against the local case, keeps cropping up. It was regularly used against Garrison, to destroy public confidence in what he sought, to buttress the untenable conclusions of the Report.

And now the list of silent witnesses, those who will not talk, grows.

This kind of "nonintervention" constitutes federal intrusion into a local court matter. It is the heavy hand of the federal government laid on the scales of justice, again on behalf of Clay Shaw and opposed to public authority. Thus, it is particularly necessary to understand what kind of man Clay Shaw is.

Even more does the combination of federal falsehood, dissembling, evasion and suppression

accent the inexplicable circumstance that the name of this man is not mentioned anywhere in the official proceedings or their backstopping. Because he was identified and there was testimony involving him in the case, involving him with the man accused of being the assassin, it is a strange omission that he did not come forth to be heard and was not required to appear. There are affidavits cluttering the testimony and abounding in the exhibits. There is not one in which Clay Shaw says it is not so.

Chapter 10 DR. JEKYLL -- OR MR. HYDE -- OR BOTH?

When you have turned 50, are unmarried and own so much property you feel you must resign an excellent income and an important and respected position to look after it, and if you are interested in the arts, what plans do you make and with what do you surround yourself?

Clay Shaw retired from the managership of the International Trade Mart at about the time interest in the assassination and its official "solution" began to awaken, after publication of *Whitewash*, which for the first time brought the strange career, activities and disappearance of "Clay Bertrand" to public attention, and long after it had been circulated through most of the better-known publishing houses. If it was with *Whitewash* as it was with *Whitewash II*, copies were in federal hands before publication.

When Shaw was in the news in March 1967; the *London Daily Mail* of March 17 carried a notice saying he had recently been in London, where he planned to move, and had expressed interest in buying the rights to plays he intended to produce there.

Shaw knew about Garrison's investigation not later than December 1966, possibly during November. After his March 1 arrest and release, he held a press conference in the office of his lawyers. The account of it in the *Times-Picayune* quotes him as saying "that he was questioned by Garrison's office about Christmas time last year when he was asked to answer questions about Oswald distributing leaflets in front of the old International Trade Mart." He declined to say what he had been asked about himself. He did say, when asked if he knew any anti-Castro Cubans, "No, I have not known any of them."

Shaw ended his successful career at an early age. He retired in the prime of life, full of vigor and interests. His career meant much to him. He described himself as a "dreamer" and "idealist" because of his yearning to hinder communism and help the needy countries by trade, by making available to them the things they needed that this country can supply, particularly through the port of New Orleans. What happened in a year and a half to change his plans so radically, to impel him abruptly to pull up his stakes,

forgetting the beauty and wealth in New Orleans even to leave the country? The timing also is provocative. In addition to the New Orleans investigation, on which the FBI kept an eye from its beginning, and the publicizing of the career of "Clay Bertrand," aroused national interest in the assassination and dissatisfaction with the Report were producing demands for a new investigation.

Any new investigation inevitably meant the first real investigation of "Clay Bertrand." There was no reason for Clay Shaw to anticipate this with pleasure.

The remarkable coincidence of Attorney General Clark's extraordinary clean-bill-of-health statement, made at precisely the moment Shaw was in distress, suggests federal interest in him. The fact is, propriety demanded the Attorney General make no comment; it improper for him to intrude into state affairs.

When a federal official wants to say nothing, he finds it easy to say, "No comment." Presumably, Clark's advisers suggested what he said. But his purpose may well have been the defense of the government's indefensible but still widely credited Report. And, of course, the two are one -- defense of the Report requires defense of Shaw. Success of the Garrison case means the end of the Report, and the national policies and organizations it represents.

So, Garrison has done more than tangle with the powerful federal bureaucracy. He assails the official "solution" to the assassination, but he presents greater threats as well. He jeopardizes the entire "invisible government" that has controlled the elected government since World War II.

If, as seems likely, the CIA is tied up in it, no matter if unintendedly, no matter if entirely innocently, Garrison's prosecution means a revolution in government.

It will mean the possible end of the arrogation of power to themselves by these faceless men who confront no electorate, answer to no charges, and in recent years have rendered the President powerless by the simple expedient of confronting him with *faits accomplis* with emergencies in which they have eliminated in advance his area of maneuver, as in the Powers U-2 flight, which wrecked the Paris summit conference; as in the Southeast Asia problem, beginning with the French withdrawal and with Laos; and,

perhaps most in point, in the Bay of Pigs tragedy, where the press became a docile, tractable instrument of government, and the President, made powerless.

This subterranean power is one of the things at stake in New Orleans, in that courtroom at Broad and Tulane Streets, where Jim Garrison is pursuing what was avoided by the federal government in its so-called investigation of the assassination.

In failing to meet the minimum requirements of cheap, pot boiling detective fiction, in making not even a decent pretense of a Ferrie-Bertrand-Cuban exile-Oswald investigation and the inevitable question of CIA involvement, perhaps for a while the government protected the CIA. When the new Attorney General stepped out of the high paneled Senate hearing room into the cold corridors, faced the newspapermen and made his unwise statement, he was in a position similar to President Kennedy's in the Bay of Pigs crisis -- making a decision for which he had not had time to prepare, for which he had not been prepared, and on the basis of inadequate advice.

All of this tended to make more credible the testimony of Perry Raymond Russo two weeks later and to make more stunning the nature of the property seized at 1313 Dauphine Street, New Orleans, pursuant to a search warrant issued by the court.

If there was a single editorial in a single major paper on what was seized, I neither saw it nor had it called to my attention. More than a hundred by-line writers swarmed into New Orleans and exercised the license of by-line writing to express personal opinions, usually derogatory, in one way or another ridiculing or demeaning Garrison and his investigation. In any other environment, what was taken from the quiet beauty of Shaw's home in the Vieux Carré would have raised editorial eyebrows, if not hackles.

Louis Ivon, Garrison's chief investigator, filed the affidavit asking for the search warrant almost as Clark spoke. In it he stipulated the evidence sought and the essence of the charges against Shaw. In part, it reads:

For the purpose of seizing the following described property: which has been

used as a means of committing an offense or which may constitute evidence tending to prove the commission of an offense, to wit: photographs, letters, political propaganda, leaflets, address book, newspapers, telegrams, canceled checks, maps, diagrams, blueprints, time schedules, telephone bills, copies of manuals and manuscript recordings ledgers, canceled airplane tickets, telephone vouchers, tools and implements, guns, rifles, ammunition, telescopic sights, gun cases, miscellaneous gun parts, gun cleaning kits.

The reasons and facts for the request of this search warrant are: affiant has evidence that meetings were held in the apartment of David W. Ferrie at 3330 Louisiana Avenue Parkway and the people present were David W. Ferrie, Clay Shaw (alias Clay Bertrand), and Lee Harvey Oswald and an informant and other persons. These meetings were held in September, 1963, and the above named individuals, namely David W. Ferrie, Lee Harvey Oswald and Clay Shaw (alias Clay Bertrand) were discussing how they would kill John F. Kennedy President of the United States. At these meetings there was an agreement and combination among Clay Shaw (alias Clay Bertrand), Lee Harvey Oswald and David W. Ferrie and others to Kill [sic] John F. Kennedy. At these meetings there was discussion and agreement to carry out this conspiracy. One of the sources of information of the affiant is a confidential informant who was present at the meetings and saw the conspirators and heard the plans. This confidential informant saw David W. Ferrie and Clay Shaw, (alias Clay Bertrand) and Lee Harvey Oswald and others and this confidential informant heard these subjects agree to kill John F. Kennedy, and heard these subjects discuss the means and manner of carrying out this agreement.

That the said confidential informant after giving this statement to the affiant voluntarily submitted to sodium pentothal commonly called truth serum, which was administered under the care and control and supervision of the coroner for the Parish of Orleans, a medical doctor. That the confidential informant while under the sodium pentothal verified, corroborated and reaffirmed his earlier statements.

The list of what was found in Shaw's home, grotesque cohabitants with objects of art, beauty and culture of the Marquis de Sade, or of a perverted version of "Men Without women" embarrassed some papers to specify them, particularly those papers looking out for the interests of the Attorney General and the federal government at the editors conceived the interests.

The Washington *Star* of March 2 printed an Associated Press story under a headline favorable to Clark: "FBI Probed 'Plot' Suspect, Clark Reports." The paragraph on the seizure of Shaw's property is restrained:

Shaw's luxurious French Quarter home was searched for nearly three hours by Garrison's agents. The dozen men who made the search carried away five cardboard bores filled with various items, including books and a rifle or shotgun in a canvas case. The *UPI* March 3 story, printed in the Washington *Daily News* revealed more. There was

no comment on the strange haul:

Mr. Garrison's agents entered Mr. Shaw's apartment yesterday and carried out five boxes of items, including a shotgun and an Army cartridge belt, whips, a hood, journals and a book entitled *A Holiday for Murder*.

The UPI list can be amplified. There were three pieces of rope, a chain, pieces of chain, five whips, pieces of leather and the cartridge belt.

There were other items right from novels: a black hood and cape, a black net-type hat, and a black gown.

Andrews described Bertrand as a "swinger." From this assortment of whips, chains, disguises and other exotica, Shaw would seem to be a swinging "swinger." All of this provokes interest in the three manuscripts that were taken at the same time.

With the exception of Oswald, of whom it may or may not in part be true, all the clients Bertrand sent to Andrews were "swishers." Some of these "gay kids" wore women's clothing. When the police "scooped" them up, they needed help. The "pokey" was filled most Friday nights. This, said Andrews, effectively reduced the rioting and mugging in New Orleans. The volume of legal business for which he was indebted to Bertrand was not inconsiderable. One week in the middle of July there were six cases. Andrews said the weekly number varied. It "depends on how bad the police are rousing them. They shoo them in. My best customers are the police. They shoo them into the office. God bless the police."

Andrews thus established that his "swinging cat" Bertrand, whom he described as bisexual, had extensive associations in the Latin homosexual community in New Orleans, and that those young men were prone to violence. In rounding them up Fridays, the police reduced weekend muggings and riots.

It is particularly interesting that these "queens," these "gay kids" among Andrews's Bertrand-delivered clients, are Latins, and that when they did not pay, Andrews expected Bertrand to -- and Bertrand did. If Andrews had any idea why Bertrand mother-henned these "gay kids," Liebel did

not ask for it. But is it a usual arrangement in a homosexual community that one, clearly from a higher level of society, assumes responsibility for those socially and economically in the lower ranks? Or did Bertrand have motive other than sympathy in looking out for these young men with such great problems? And did it give him some kind of hold over them?

Affinities for dresses and for chains and whips are not exactly alike, but they have this in common: both are frowned upon by organized society, both are opposed by law and custom. Does this provide a link between the upper-class Bertrand and the lower-class Cubanos and Mexicanos?

Conjecture will not carry us very far. We might wish that the Commission, particularly Liebler, had carried this forward, sought an explanation for this uncommon relationship between these needy homosexual Latins and the man who looked out for them. But he did not, and for the moment there is not too much that can be done to overcome this deficiency. Then there is the relationship between the non-Latin homosexuals who seem to have had fewer difficulties with the police, and the Latins. This is an unusual other world. For the time being, we must leave it in status quo.

Shaw was released on Thursday, March 2, under \$10,000 bond. The first act of the defense was to call a 2:00 P.M. press conference in the office of Recivitch, Johnson, Wegmann and Mouledoux. Harve Recivitch and Edward Wegmann, who handled most of the courtroom work, flanked Shaw. Like so many, its purpose was not to satisfy the interest and curiosity of the press and its audience but to say what Shaw and his lawyers wanted and nothing else. Shaw did not answer questions, he made statements.

In his blanket denial of the charges, which he labeled "fantastic," Shaw professed "shock" and "dismay" at them. Of the murdered President he asserted, "I have always had only the highest and utmost respect and admiration," falling a little short of Ferrie's "worship." And he said, "I do not know Harvey Lee Oswald (sic) nor, to the best of my knowledge, do I know anyone who knew him." Although Shaw was reading from a prepared statement, it may be assumed that he was not evading by a switch in the name or by reference in the present tense to a dead man.

"I have received messages of support from persons in this country and abroad who are dismayed and shocked at the accusations that are being made against me. These people know me well and know I am incapable of being involved in a *plot* of this kind."

Shaw said that, although he had not been aware of the FBI investigation of him, he was "pleased and delighted" with the Attorney General's announcement that he had been given a clean bill of health. He had no idea why he was investigated but suggested it was "possibly because of the distribution of pro-Castro leaflets outside the International Trade Mart," an "explanation" also "fantastic" in view of the charges against him.

Shaw denied he knew Oswald and Ferrie, both of whom were dead, or any anti-Castro Cubans, none of whom was about to come forward and confess involvement in the assassination. Press accounts make no reference to his denial of knowing Andrews, who was not dead and was then being questioned by the District Attorney's office.

In defending himself, Shaw refuted the claim of the Attorney General that the FBI had made a thorough investigation before "clearing" him. It is not possible to make such an investigation and keep it secret. Ferrie disclosed this truism in reporting that friends and acquaintances immediately informed him of the Garrison investigation. Only a friendless and unimportant man can be investigated without, sooner or later, learning of it. Shaw is not unimportant. He is one of the 35 most prominent men in New Orleans. His friends, from his own description, are so stalwart and courageous that they wrote, phoned and cabled him from all over the world after the seriousness of the accusations against him was made public, when standing by him presented some hazard and associated them with a sordid, terrible thing. It is not conceivable that such staunch friends would have remained silent -- not every single one of them -- if the FBI had made any serious investigation of Shaw.

The touted "thoroughness" of this non-existent investigation is amply revealed in Shaw's allegation that he was never questioned. How could the FBI really investigate Shaw without asking him a

single question?

The next defense move was to demand the return of the seized property. There was no reference to the exotica, the chains, whips, pieces of rope and leather, or to the cape and hood -- none of the suggestive objects of far-out literature. Shaw's counsel sought to imply that he was bankrupted by the seizure, that the taking of \$30,000 in "homestead" bonds might interfere with his defense. Their efforts failed when, on March 13, these pleas were denied by the court.

The next day the preliminary hearing began.

Garrison confused his unfriendly clique, including those in Washington, those in Dallas, those among Ruby's former counsel, and those in editorial offices. He took the unusual step of demanding a preliminary hearing. This measure is normally taken by the defense. Its purpose was to obtain a judicial determination of whether there were grounds for bringing Shaw to trial.

In New Orleans, Garrison has the reputation of attempting and doing the impossible. He has picked fights with and won over the mayor and the judges. It was his campaign against a previous mayor that gave him the issue and the platform that made him district attorney. His battle with the judges, lost on the local level, was a Supreme Court victory for him when he carried the case to it on appeal. Whether it was Garrison's reputation or the dimension and weight of the issues involved, when the preliminary hearing case came to Criminal District Court Judge Bernard J. Bagert, he appointed Judges Malcolm V. O'Hara and Matthew S. Braniff to serve with him. All three would sit on the case. Decisions would be by majority vote. They overruled the appeal of the defense that this was constitutional.

Presiding Judge Bagert announced rules for the press. On March 9 he invoked the Canons of Judicial Ethics adopted by the Louisiana Supreme Court and laid down proscriptions so strong that there was an immediate howl from the reporters. After modification, the regulations prevented a repetition of the Roman carnival atmosphere that prevailed in Dallas after Oswald's arrest. There were to be no picture-taking in court, no statements by witnesses outside the courtroom. Only accredited

representatives were admitted to the courtroom. Those entering the courtroom were searched, to ferret out FBI agents, according to some reporters. This may or may not have been true. But the disgrace of Dallas was not repeated.

Through it all, from the moment the New Orleans *States-Item* revealed publicly what was known only to those involved and few others, like the FBI, a limited number of the press and several of *us* writing and researching the subject, Garrison maintained that he had already established his case. The publicity, he said, would delay and interfere with his prosecution, not prevent it. He had his case.

An unpredictable coincidence, the kind of a "break" he could not anticipate, helped Garrison. A new witness surfaced, one of whom he had had no knowledge, one not part of the case he had already established. Garrison gambled on using him alone, reserving his major evidence to keep his real case secret from the defense and its federal and press allies, knowing that if, in the hearing, his witness was weak, he could always draw upon his legal reserves. In the middle of the preparations for the hearing and only five days before he ultimately testified, a second volunteer and hitherto unknown witness came forward. These were the reverse of the problem created by the publicity. While an immediate advantage to the prosecution, it remains to be determined whether it is enough to offset the loss in witnesses who fled, feared for their lives, or remained mute.

David Ferrie's untimely death in New Orleans caused the timely appearance of Perry Raymond Russo in Baton Rouge. On February 22 he saw Ferrie's picture and wrote Garrison. In his native New Orleans, Russo had been a friend of David Ferrie.

Russo also made himself known to the local news media. His interviews were not entirely consistent with what he subsequently testified to.

Russo is a dark, neat, intense and very young political man. He lives in a white frame duplex near the Louisiana State University at Baton Rouge. He began college at Tulane, transferring when he moved to Baton Rouge. He has a bachelor's degree in political science. This year his major study is insurance underwriting. Mrs. Eleanor Durand lives in the other half of the building. He is a "nice young kid" to her.

"He's a real fine guy, a hard worker and an intellectual," a man who organizes and plans his work methodically and well, according to Taylor Bernard, his superior at the Equitable Life Assurance Society, for which he sells insurance while going to college.

Pete Barrouquere, Jr., sportswriter for the New Orleans *Times Picayune*, knows Russo as the manager of baseball teams. Russo organized one for the Young Republicans in 1963. His opinion of Russo appeared in the *Times Picayune* for March 16: ". . . a keen political student but a radical in politics." Russo worked for Goldwater, not what would indicate another of Barrouquere's recollections: "When I visited his bungalow he had 'Fair Play for Cuba' pamphlets strewn among his law books. He never said whether he was a member of the pro-Castro group though . . ."

There was no New Orleans chapter of the Fair Play for Cuba Committee. This provokes wonder. Could Russo have had some of Oswald's literature? If so, how did he get it? From the Oswald? Possession of this literature is not consistent with support of Barry Gold water. What was Russo, friend of Ferrie, doing with this kind of literature, after Oswald moved from New Orleans and *before* the assassination?

As the time of the hearing approached, interest in and speculation about what Garrison would do and reveal intensified. In granting the motion for a preliminary hearing, the judges indicated they might insist upon the production of the "confidential informant" *who had heard* the threats against the President's life and *had* "voluntarily submitted to sodium pentathol, commonly called truth serum, which was administered under the care and control and supervision of the coroner." While it was happening, the New York *Post* of March 14 asked in a *five* column headline, "Will Garrison Unveil Witness?"

It is with this buildup, with the eyes of the world and all of the press that could be squeezed into the courtroom on him, that Perry Russo began his testimony. This was the most dramatic moment in all of the assassination events since the issuance of the Report. Garrison, who so jeopardized that Report, then made another expert showman's gesture. Usually he has assistants handle the court work. His own court room appearances are few. With all this attention focused on Tulane and Broad streets, Garrison

conducted the Russo examination and then assigned his assistants to cope with the cross examination.

We have already seen how Russo had met Ferrie through the Civil Air Patrol, in which the dead psychopath had the dual interest of a flyer and a recruiter of young men for his homosexual love life. We know the story of Russo's apparently successful effort to come between Ferrie and Al Landry, as beseeched by Landry's alienated parents whose home Landry had left; and of Ferrie's threat, "I'll get you," that Russo then interpreted as a threat of murder. And we know the unfortunate coincidence of Landry's first name and that of the man to whom one of Ferrie's "suicide" notes was addressed (Alvin Beauboeuf) with its plaints, complaints and a dead man's last curse, "as you sow, so shall you reap." These are peripheral to the crux of Russo's testimony, that he was an inadvertent observer when he heard the murder of President Kennedy calmly discussed, for all the world like the plans for a goose hunt.

There were two such occasions. The first was when Ferrie explained to Russo how easily the two of them could murder the President. The second, following which Russo left New Orleans, was after he and Ferrie had established a close relationship. He describes this as one in which they had an "open book" policy toward each other. Either could at any time, unannounced, visit the home of the other. Russo estimated he had been to Ferrie's "30 or 40" times.

In mid-September 1963, Russo went to Ferrie's and found eight or ten men having a party. The lone woman present was "Sandra Moffett" (also spelled "Moffitt"), an Alabama girl who was Russo's date. Naturally enough, she became the object of a search and sensational headlines like that in the New York *World Journal-Tribune* of March 16, "Hunt Mystery Girl in Plot," on the front page and, with the embellishment of disbelief, on the continuation, "Hunt Mystery Girl in JFK 'Plot.'"

According to Russo, had Miss Moffett not been escorted home by another and had Russo not waited for his transportation, which never returned, he would not have been a witness to what he testified about. Russo identified another man at the party with him as "Lefty Peterson."

A week before this headline was written, Garrison's men had located "Sandra Moffett" in Omaha, Nebraska, where she then lived, married to a "part-time preacher," Harold McMaines. Her correct name

is Lilly Mae. On March 8 she refused to go to New Orleans to testify. On Good Friday, March 24, she told reporters she had once been in love with Russo but had not gone to that party with him. She also is quoted as having said she did not meet Ferrie until 1965 (when Russo no longer lived in New Orleans). On March 27 Garrison issued a warrant for the arrest of the 22-year old woman as a material witness. Then she was promised she would not be charged with anything.

One of these men, Russo said, he recalled having seen earlier, during a dedication ceremony attended by President Kennedy at the Nashville Avenue wharf. Because this man seemed to be paying no attention to the President but was looking around, Russo concluded he was in the Secret Service. Ferrie introduced him as "Clem" Bertrand.

Russo also met the second and younger man on other occasions. On one, as Russo entered Ferrie's second-floor flat at 3330 Louisiana Avenue Parkway, this man, rumpled and untidy, was sitting on a sofa cleaning or polishing an "old-fashioned bolt-action rifle" with a telescopic sight. "Meet 'Leon' Oswald," Ferrie had said, introducing his "roommate."

"As the party dissipated," Russo testified, "it narrowed down to eight or ten people besides myself because I had no ride home." During the discussion of how to kill the President, "Ferrie took the initiative . . . pacing back and forth." This Ferrie characteristic others noted. Mr. Jack Martin recalled that he usually invoked Socrates and rapped his head in his pacing. "He was talking to both Mr. Bertrand and Mr. Oswald, discussing diversionary tactics." When they questioned Russo's presence, Ferrie told them not to worry, "he's all right."

The "diversionary tactic" Ferrie described required that one man "would have to be the scapegoat" and fire the distracting shot or shots while one or more others got in "the good shot." Until the discussion got to the escape, only Ferrie spoke. Russo quoted Bertrand as insisting that, once the shots were fired, escape by plane, as Ferrie visualized, would be impossible. It would be a "shot heard around the world." Airports would be closed and capture easy.

t Bertrand's protest, Russo said, Oswald told him, "Shut up and leave him alone" because Ferrie

was a pilot.

A "washed up" pilot to him, Bertrand replied.

Ferrie, however, recognized the wisdom of Bertrand's objection and evolved an alternate scheme. Russo's description of it is that the participants should "be in the public eye," that is, seen, "be around a lot of people" who could later testify to it. During this part of the discussion, according to Russo, "Leon" Oswald was silent.

Bertrand was the only one of the trio decently dressed. Ferrie wore baggy pants and Oswald "was dirty, as usual, and half shaven." He "wore a pullover shirt that was not a 'T-shirt.'" Bertrand wore "a maroon jacket." He "was the only one what I'd call decent."

Throughout his testimony and under cross-examination, Russo always described Oswald as dirty, bearded and untidy in appearance, unfriendly and unpleasant in manner. Once he called him a "beatnik." Another time he said, "I considered him a vagabond."

"The Oswald I knew," he testified, "was like a beatnik," always with "three or four days' growth of beard."

Under cross-examination Russo reemphasized this, saying, "I knew 'Leon' Oswald, who was whiskered and dirty and had rumpled hair." The only time he ever saw "Oswald" clean-shaven was for a few minutes "the day Oswald left New Orleans for Houston." The Commission decided that at about noon September 25, 1963, Oswald left New Orleans by bus for Mexico by way of Houston.

For immediate purposes, the cross-questioning of Russo was no benefit to Shaw and less than glorious for Lawyer Dymond. In an interview before Garrison's men spoke to him, Russo had said that the last time he saw "Oswald" was in October. On that occasion, according to him, Ferrie had said of the President, "We will get him and it won't be long." It was, he said, "in the middle of October." Oswald "was leaving Dave at that time."

Dymond wanted to know, "Do you still say it was in October that he said this?"

"Yes, sir," Russo repeated, "I'd say October; yes, sir."

"Are you aware it is a documented fact that Oswald left New Orleans September 25 and in fact never returned?"

Assistant District Attorney Charles Ward raised his voice in objection. "That has never been proven in this court," he protested.

Dymond turned to an associate while quoting the conclusions of the Commission. The Commission's volumes were at hand. He picked one up. Judge Bagert asked him as though in disbelief, "You're not going to introduce the Warren Report in this court?"

"I am," Dymond replied. "That's right."

"You must be kidding!" the judge exclaimed.

Dymond cited a state law that he claimed made this possible and added that it had been printed by "the U.S. Government Printing Office."

Judge Bagert smiled as he asked the next question, "Does that give it authenticity?"

Dymond said it did.

"You are wrong and you are overruled," Bagert retorted.

When Dymond persisted Judge Bagert held that the Report was "fraught with hearsay," "hearsay four of five times removed," and was inadmissible as evidence. The prosecution suggested Dymond note an "exception." He did.

This, said Carl J. Pellack, writing in the New York *Post* the next day, "marked the first time that a court in this country has held the Warren Report to be without legal foundation and unacceptable as a matter of fact."

Dymond had other exchanges with the judges. Braniff and Bagert had each interrupted the cross-examination to encourage Dymond to "get on with it." To one of these Dymond responded that he was trying to shake Russo's credibility.

"You have not contradicted him on a major point," Braniff told Dymond.

There were things Russo had said in interviews that he had not testified to and things he testified

to that he had not mentioned on television. One of these is the "we are going to get Kennedy" statement by Ferrie. On TV he did not date the plotting at mid-September and he said he did not recognize Oswald from pictures.

Dymond played the taped interview in which Russo said he did not know Lee Harvey Oswald. This was recorded by WDSU-TV on February 24 the day before Russo spoke to Garrison's staff and three days before he went to New Orleans. Dymond demanded an explanation.

"I knew 'Leon' Oswald, who was whiskered, dirty, and had rumpled hair," Russo answered. "I did not know a Lee Harvey Oswald." While there was a strong resemblance and he had felt the man whose picture he had seen was familiar, "I couldn't be positive."

Questioned further, he said that, while Oswald's picture looked vaguely familiar to him, it was not "until they put whiskers on him" that he was certain Oswald was the man he had seen at Ferrie's apartment.

Dymond asked, "Who put the whiskers on him?"

"One of the artists," Russo said. He pointed out a man seated with the prosecution. Garrison was not in court. One of his assistants, Jame L Alcock, rose. Saying, "Perhaps this will help the court," he handed up a picture.

Dymond had asked "What finally succeeded in making you sure that Lee Harvey Oswald and Ferrie's roommate were one and the same?"

All the Oswald pictures he had seen, Russo explained, were of a neat man. The artists took one of a disheveled Oswald. They added to it whiskers of assorted shapes and densities until they finally drew one that was "something between a beard and whiskers." Shown this, Russo had exclaimed "That's Ferrie's roommate!"

Assisted by this method, Russo testified, he is now "absolutely sure the man I knew as Leon Oswald is Lee Harvey Oswald." Until then, " 'Leon' Oswald had a different face to me."

Was "Layton Martens" Ferrie's roommate at the time Russo overheard the plotting, Dymond

wanted to know.

"No, sir," Russo told him, "the roommate at Louisiana Avenue Parkway apartment was 'Leon' Oswald."

Thus the identification of one of Ferrie's "roommates" was placed in evidence.

In other ways Dymond's attempted defense of Shaw benefited others and helped establish a record that may not be helpful to his client.

In questioning Russo about the plotting he overheard after the mid-September party, Dymond asked, "Was it your understanding that these three men would actively participate in the assassination?"

To this Russo answered, "I didn't get that impression, no."

This accomplished two unintended purposes while defending Shaw against a charge that was not made and could not have been, that he had been an assassin. Shaw was in San Francisco on assassination day. But this entered into evidence Russo's belief that Oswald was not intended to be an assassin and laid a foundation for self-defense against the charge of accessory. It enabled Russo to testify that he did not at that time think a serious plot was intended, therefore, he did not report it and thus was not an accessory before the fact.

Another incident Russo testified to did not attract much attention but might have significance. He said that about "seven or eight months" after the party, he was having trouble with his car. He went to the service station on Veterans Highway that, he said, Ferrie owned or operated. He parked close to a white compact auto in which Bertrand was sitting. Ferrie came over to him for a perfunctory greeting and returned to the car and his conversation with Bertrand. If Russo is right about this, he placed it as approximately the time Liebel and Jenner were taking depositions in New Orleans, an event about which, if conspirators of any kind, Ferrie and Bertrand might well have been concerned.

Russo's account of the party-night plotting might have been what the FBI asked Ferrie about or what he, knowing it had happened, could have volunteered when he was questioned at the time of the assassination. Either way, it is not unlike what the FBI knew about. From the files and evidence, it did

not seek out Russo or any others to check Ferrie's alibi. It seemingly was satisfied that an acknowledged assertion that the President should have been shot could be explained as either a bad joke or a new kind of "colloquial expression." The unavailability of any indication that the FBI knew or cared to find out where or under what circumstances or to whom Ferrie made his "joke" makes it impossible to determine whether what Ferrie admitted is the same incident to which Russo testified. If it is the same incident, it confirms Russo. If it is not, the FBI has further discredited itself, for there then is another Ferrie threat against the President not investigated before the FBI gave him a "clean bill of health." If it is not, then there are others who can testify to Ferrie's threats and to whether they were "jokes" or "colloquial expressions." After how many repetitions was it still a "joke"?

After Russo's testimony was completed, Vernon Bundy, a 29-year-old reforming dope addict, took the stand. He had asked for confinement in the parish jail because he felt the oncoming of the narcotic urge of which he was trying to break himself. From the jail he had communicated with the authorities, who had no knowledge of Bundy's story until it was volunteered. During June or July 1963 ("these are my worst months," that is how he recalled the time), he had been near the lake-front intending to shoot a "fix" of two capsules of heroin into his vein when he saw two men he identified as Oswald and Shaw. When Oswald stuffed into his pocket what looked like a roll of bills Shaw gave him, he dropped some "Cuba" leaflets. In two respects Bundy's testimony paralleled Russo's. He described Oswald as a "junkie or beatnik type of guy, he was in pretty nasty shape, needed a shave," and he heard "Oswald" say he was having trouble with his wife. The reply Bundy attributed to Shaw is similar to what Russo said he had heard Ferrie make under the same conditions, not to worry about it, that he would "take care" of her.

The news and headline writers were not impressed with this testimony and were skeptical of the witnesses. The District Attorney seemingly was satisfied, for he presented no additional evidence. The three-judge panel was also satisfied, for on March 17, Shaw's 54th birthday, it rendered a unanimous verdict:

This court finds that sufficient evidence has been presented to establish probable cause that a crime has been committed. And further that sufficient evidence has been presented to justify bringing into play the further steps of the criminal process against the arrestee, Clay L. Shaw. The defendant is released on his present bond.

New York *World Journal-Tribune* reporter Leslie H. Whitten interviewed Judge Bagert. His March 20 story reflects the opinion of the judges:

"This wasn't a question of guilty or not guilty. It was a question of probable cause. I believe there is probable cause, period . . . Given what we got in there, I had no choice. Russo stood up. There were some minor discrepancies, but you tend to doubt, you have to doubt it, when there's a 100 percent story every time . . . Just think for one minute about the alternative, that is, if we cut him loose . . . with the defense depending on cross examination and not putting on a real case of its own, the nation and the world would have charged a fix."

The defense was "just grasping at straws."

Five days later Garrison's numerous and vocal opponents were further confounded. Everyone had expected his next step would be to file a bill of particulars against Shaw. This would make sufficient specification of the charges against him to permit preparation of an adequate defense and would eliminate the hazard that the grand jury would decline to indict. But on March 22 the grand jury did indict, charging Shaw with "willfully and unlawfully conspiring with David W. Ferrie and Lee Harvey Oswald to murder John F. Kennedy."

Garrison had a double victory. He won his legal point without revelation of the case he was developing. Russo was not one of the witnesses he had depended upon. They were still unidentified, their testimonies undisclosed. The return of the true bill by the grand jury obviated the need for filing a bill of particulars. Garrison's case was still largely secret except for FBI or other "counterintelligence" and "leaks."

For the time being, here the matter rests.

There are other and untested inferences and accusations of CIA involvement or entrapment in the assassination. In New York the socialist weekly, *The National Guardian*, in the issue dated March 18, quoted the Italian paper, *Parse Sera*, as saying Shaw had links with various right-wing groups and possibly the CIA. It also reported his membership on the board of directors of the Centro Mondiale Commerciale from 1961 until about the time of his retirement from the Trade Mart. On this board, *Parse Sera* said, Shaw was an associate of a relative of Hitler's financial wizard, Dr. Hjalmar Schacht, and a man now in Canada, once with the forerunner of the CIA. This man, according to French newspapers quoted by the *Guardian's* Rome correspondent, allegedly was a contributor to what is described as "neo-fascist" groups in France, Italy and elsewhere in Europe. The Italian paper charged that the Centro Mondiale Commerciale is a cover for channeling CIA funds into Italy. Thus, CIA connection was attributed to Shaw.

Quoting no sources, the *Guardian* said "Shaw reportedly played a part in arranging for Kennedy to speak at the Dallas Trade Mart on Nov. 22, 1963 the date of the assassination -- a fact which to a degree determined the fatal motorcade route from the Dallas airport."

Similar reports have reached me, before and after this one. However, selection of the Trade Mart for the luncheon did not require that the motorcade go under the windows of the Texas School Book Depository Building, from which the Commission, contrary to its own best evidence, claims Lee Harvey Oswald fired all the shots of the assassination. The qualifying language of the *Guardian* is appropriate because the final decision to hold the luncheon at the Trade Mart was made by President Kennedy's adviser, Kenneth O'Donnell (R31).

William Manchester attributes this determination to Texans close to Governor Connally. The Commission, characteristically, is evasive in its Report. In its shortest chapter, entitled "The Assassination," two sections relate to thus. These take up but four pages in all and are largely a defense against already published allegations that the motorcade need not have gone under those windows, that alternatives were available. The first section, entitled "The Luncheon Site," is about three-quarters of a

page long; the second, "The Motorcade Route," about three pages (R30 ff). Neither is an answer to either the old or the new charges. It is true that the motorcade could have kept straight on Main Street, making an illegal right turn onto the Stemmons Freeway or going to the Industrial Boulevard before turning and by either route have gone directly to the Trade Mart without going under those windows.

On the other hand, the scene of the assassination, Dealey Plaza, is a small, compact area. From any part of it the motorcade was not a formidable target. Almost any "sniper's nest" afforded less difficulty than the very steep downward angle from that TSBD sixth-floor window, which had a large tree in full foliage in front of it.

The Commission would have us believe that the November 22 route is traditional for celebrities because it provides maximum public exposure.

Whether or not it stands the test of the courtroom, Russo's seemingly strange testimony coincides intriguingly with those suppressed discoveries that I brought to light in exposing the story of "The False Oswald" and those Cuban-refugee-connected men who are part of it. There are as yet undisclosed aspects of the bizarre adventure that, like what I have already unveiled in my previous books, spell "CIA" when the heat of revelation is applied to the invisible ink in which the government's agents wrote it.

Russo's details so closely dovetail with the activities, movements and descriptions of the characters in *The False Oswald* and they so snugly mesh that we must now integrate the stories of *The False Oswald* and *Oswald in New Orleans*.

Chapter 11

"PRESIDENT KENNEDY SHOULD HAVE BEEN ASSASSINATED AFTER THE BAY OF PIGS"

Mrs. Sylvia Odio's "Oswald" also was named "Leon," not Lee. He was as untidy as Russo's "Oswald," which the real Lee Harvey Oswald never was. That diligent pursuer of truth and knowledge and nothing else, Wesley J. Liebeler, did not ask Mrs. Odio about this. He did not ask whether or not "Leon" Oswald was bearded or how -- and he should have. It is not likely an oversight, an accident, because before he took her deposition she had already complained that the FBI failed to ask her the right questions. This was one of the avoided questions.

It is not accidental that the FBI ignored "Leon's" beard, as we shall now see. Part of the FBI's campaign against Mrs. Odio and her evidence hinged on this; in effect, J. Edgar Hoover bobby-trapped the Commission by not, from the record, correcting information the FBI called erroneous in time for correction in the Report.

Without ever acknowledging the existence of The False Oswald, the Report identifies him as "William Seymour of Arizona." His then address was 3836 West Lewis, Phoenix, and it was known before the Report appeared. The Report was interested in avoiding Seymour and his two associates, as was the FBI. Seymour was then living with his sister, Mrs. Ella Dupuis. He was single. An effort to reach him by telephone, through his sister, after exposure in *Whitewash II* reveals the number is now unlisted. Seymour's desire for privacy is not remarkable, nor is that of his relatives.

What is remarkable is the parallel between Sylvia Odio's "Leon" Oswald and Perry Russo's. What is equally remarkable is the suppressed FBI reports that show how possible it was for the characters in The False Oswald to have been in New Orleans at the times specified by Russo, September and October 1963. Had the FBI not so diligently avoided getting details, it might be that additional dates also are consistent. The diligence of the FBI was in avoiding information, not gathering it.

These men were based in Florida, where they trained Cubans for an invasion of Cuba, in violation of law and declared national policy. They also were engaged in gun-running, equally illegal. They traveled from Florida to the West Coast and back, stopping in Dallas and New Orleans. The men who visited Sylvia Odio in late September 1963, her best recollection is about September 26, went there from New Orleans. This is entirely consistent with Russo's testimony that he heard "Leon" Oswald, Shaw and Ferrie discussing the murder of President Kennedy in mid-September 1963, in New Orleans.

It is also in accord with the testimony of men associated with Orest Pena's Habana Bar and Lounge, at 117 Decatur Street. New Orleans. I have a private, unsolicited letter from Pena, dated March 26, 1967. He has read *Whitewash* where the story and career of The False Oswald were first exposed. He reveals pertinent knowledge Liebler did not seek of him when taking his deposition, too late and too brief, on July 21, 1964 (11H346-64). Of what I wrote in *Whitewash* he said, "It is true."

It further is in line with the testimony of Dean Andrews, quoted in an earlier chapter, about the men he saw with Oswald, not "Cubanos" or "Latinos" but "Mexicanos,"

It is necessary, therefore, to begin with a survey, not of what Liebler allowed to get into the testimony, but of what the Commission knew and had -- what Liebler knew and had or should have.

Mrs. Odio's information was immediately in the possession of all the government agencies involved. They inquired into it enough-to know they could not destroy her and her evidence and to satisfy themselves that they did not want it. Her story, her fears, her instincts and her knowledge never changed. She was a solid witness, despite her apprehensions, for she understood that what she was saying was unwanted and unwelcome, but she stood fast.

Liebeler did not call her as a witness until July 22, after he had interrogated all the New Orleans witnesses -- Andrews, Pena, Pena's brother and employee, Ruperto (11H364-7), and his bartender, Evaristo Rodriguez (11H339-46) -- just the day before. So, all that they said and all that he avoided asking them about was fresh in his mind. It is important to note also that, although all of this information, all of these leads and names, was immediately known to the Commission, the FBI and the Secret Service,

nothing was done with it once its unassailable character was established. Within less than a month, the viability of the evidence had been established. It was thereafter shunned until less than a month before the Report was issued.

These three men who visited Mrs. Odio were armed with impeccable credentials from the anti-Castro Cubans and with the most intimate and accurate details of the lives, suffering, property and activities of her parents, then prisoners on the Isle of Pines (her mother was subsequently released). They introduced the American as "Leon" Oswald and themselves by their "war" names, "Leopoldo" and "Angelo," Mrs. Odio thinks she recalls. Her sister Annie, dressed in a housecoat, answered the knock at the door of Apartment A, 1080 Magellan Circle, Crestview Apartments, Dallas, Texas, and because of her attire called Sylvia. She, in turn, feared inviting the men in and spoke to them through the narrow opening of the door permitted by the night chain.

They worried Mrs. Odio right away. "I started getting a little upset with the conversation" (11H372).

Mrs. Odio was so upset that when she heard of the assassination, before she knew who had been accused, she fainted and was taken to the hospital by ambulance. During her testimony about this, apparently to stay on the safe side and say nothing not wanted of her, she asked Liebler, "Can I say something off the record?"

"Yes," he told her.

The record then reads, "(Witness talks off the record)."

Afterward, Liebler said, "At this point, let's go back on the record. You indicated that you thought perhaps the three men who had come to your apartment had something to do with the assassination?"

She agreed with his interpretation, saying, "Yes." (11H382)

When Annie saw her and asked, "Sylvia, have you seen the man?" the sisters immediately agreed it was "Leon," as each had decided independently.

These men revealed enough to her for Mrs. Odio to associate them with the assassination. She referred to their threats in the most pointed language, at two particular places in her testimony, and often before it.

The others said of "the American" that he was "loco" and "would be the kind of man that could do anything, like getting underground in Cuba, like killing Castro. He (meaning "Leopoldo") repeated several times he (meaning "Leon") was an expert shotman" (11H377).

"Leopoldo" asked her, "What do you think of the American?" She replied, she testified, "I don't think anything."

Then "Leopoldo" said, "You know, our idea is to introduce him to the underground in Cuba, because he is great, he is kind of nuts. He had told us we don't have any guts . . . because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba . . . And he said, 'It is so easy to do it.' He has told us . . . " (11H372).

At the end of February and the beginning of March 1967, right after the Garrison investigation was publicized, there was a backfire of propaganda designed to offset what by then was the obvious presumption, that Garrison agreed with the *Whitewash* books and was investigating exile-Cuban involvement in the assassination.

The old and by this time sway-backed workhorse of "Communism" and of Oswald's non-existent Castro connections was hailed in from pasture.

The Los Angeles *Herald Examiner* of February 23, in an obvious propaganda answer to the questions raised by Ferrie's death, which had all those partial to the Cuban exile groups in deep apprehension, spread this very big and very black headline across the top of the front page: "NEW OSWALD TAPES BARED IN L.A." - The story under it, rivaling the headline in irresponsibility and falsehood, begins, "A top secret tape recording in Lee Harvey Oswald's own words and revealing his Communist ties with Cuba two months before the assassination of President John F. Kennedy was

disclosed to the public here today." It turns out that the "revelation" was by Edward Scannell Butler, executive vice president of the self-styled "Information Council of the Americas," who, with his organization, could stand a little of the investigation that was never made. Connections with the more extreme of the right-wing Cuban groups that themselves are linked to the story of Oswald in New Orleans might be a beginning point. Next might come official connections. We shall have more on this.

But this sensational headline, a dying and futile effort to make it seem that there was some insidious "Communist" hand behind the assassination, was false. There was nothing new, no information, no intelligence, only the propaganda of the Cuban exiles, as false and self-serving in 1967 as in 1963, and as contrived. The paper made a big deal of the giving of this tape to Garrison, as though that had meaning. Anyone who wants to give him anything need only put it in the mail. Some find a receptive press, as did Scannell.

This was but one of the well coordinated propaganda moves. The possibility of spontaneity is remote.

Stanley Ross, editor of the New York Spanish-language paper *El Tiempo* reached back under the rocks of the past and came up with a story with which he had personally caused the FBI some extra work at the time of the assassination. He was able to attract considerable attention and extensive radio and TV time with it, despite its previous discrediting by the FBI (Exhibit 1444, 22H860-7). He had come to official attention following his February 6, 1964, appearance on the Barry Gray Show on WMCA in New York. At that time he had a paranoid-embroidered fantasy about Castro having sent a number of "assassination teams" to the United States to kill President Kennedy. The Commission printed the disproof of this and another fabrication, also, unfortunately, launched on Gray's show, that Oswald had been trained in the Soviet Union to assassinate the President. This story is still dear to the radical right, which retails it with its accustomed vigor and diligence but by now, in every contact I have had with it, has long since forgotten the source.

Ross knew a good thing when he had it, and Gray had a short memory. Gray helped Ross render the same disservice in early March 1967, in the midst of Ross's renewed campaign over the officially certified and long confined paranoid-schizophrenic Pascual Enrique Ruedolo Gongora, then in Creedmoor State Hospital, New York, having been transferred from Bellevue Psychiatric Hospital as "in need of further psychiatric treatment" and because "Creedmoor State Hospital had more propitious facilities for such treatment."

Gongora is still restrained. With a young lawyer to file a *habeas corpus* suit, Ross had the "peg" on which to hang his charge that the government was engaged in a conspiracy to keep Gongora locked up because of its "pro-Castro" philosophy. None of the seemingly responsible media that gave Ross a generous forum ever stopped to think about the lack of logic in his entire tale. They had only his representation of "fact."

On March 3, Radio Station WINS in New York started a sensational variant. The *World Journal-Tribune* of the next day reported, without regard for Garrison's amply quoted contrary beliefs, that "WINS last night broadcast a report that District Attorney Garrison 'believes President Kennedy was murdered by a group of plotters directed from Cuba.' WINS broadcast a copyrighted story filed by newsman Doug Edelson, who said he got his information from a 'responsible, unimpeachable source who had access to Garrison's files.' The story said Garrison's files indicated that Cuban Dictator Fidel Castro put out his 'execution order' on Kennedy after the abortive Bay of Pigs invasion. Four Cuban assassination teams were organized . . ."

Back to Gongora, back to Ross. These inventions are always attributed to "responsible" sources. Why not go all the way? "Responsible and unimpeachable." If Garrison had the Commission's 26 volumes, which he did, this "information" -- discredited, disproved by the Commission and the FBI, a tale dreamed up by a sick man -- was certainly in his files!

UPI spread a larger version of the same ravings throughout the world. That version added the plan of the CIA to have Castro murdered. Thus, the "four-man assassination teams" were to kill Kennedy in "retaliation," almost three years later.

The same day Drew Pearson's column dignified it further and further reduced what reputation the CIA retained after the fiasco of the corrupted foundations then very much in the news by saying, "Top officials, queried by this column, agreed that a plot to assassinate Cuban dictator Fidel Castro was 'considered' at the highest levels of the Central Intelligence Agency at the time Bobby (Kennedy) was riding herd on the agency." The "retaliation" story "persists," according to the column, because "people in a position to know" continue to "whisper" it.

Some "whisper," with a popular column, a worldwide news syndicate, and limitless radio And TV retailing!

Note the added evil twist here, however, inferentially blaming the late President's brother for "assassination by 'retaliation.' "

Four days later Pearson had an updated version. Quoting Senator Russell Long as his authority, he reported that Oswald "trained with Castro revolutionaries in Minsk," another source-less favorite of the radical right, which recalls only that its source, too, is "responsible and dependable."

Irresponsible and inaccurate writing finds a ready market, particularly on this subject. Ross's meets the requirements. He found a "newspaper" that felt the national interest impelled it to take lurid sex off its front page just this one time, without disappointing its regular clients. The *National Enquirer* is suitably equipped to handle propaganda and to profit from it. Its issue dated April 16, 1967, in accord with its high standard of fidelity, was available two weeks earlier. It spread Ross's careful culling all over the front page under a headline that properly reflects the paper's fastidious attitude toward fact and reality. "Startling New Evidence" is the boldest headline. Under it there are three equally prominent displays of type, the lower two of which in fact bear no relationship to the first. The top one reads, "Cuban Agent Secretly Held by U.S. Told of Plot 8 Days Before JFK Assassination."

This statement that a "Cuban agent" predicted the Kennedy assassination is accurate insofar as Gongora's national origin is concerned. In the sensationalized distortion that follows, we find no reference to the fact that Gongora is and for years has been insane. Every word is a cliff hanger, presented as though the man understood and spoke of reality. To this Ross adds the accusation that the United States Government, which cannot incarcerate a man without due process by criminal proceedings, has corrupted New York's doctors and has prevailed upon them to lock this poor and much abused, innocent and, from Ross's prose, entirely sane and heroic man, away from the society that will be liberated by his messianic preachings.

Never has a "self-confessed" criminal, an "assassin," been more exalted. Ross involves Garrison by the simple expedient of an unsolicited telephone call. And his own daring-do in the Great Tradition of muckrakers, *National Enquirer* style, is likewise memorialized. Ross explains that he learned of Gongora's whereabouts through a "tip." And had it not been for the zeal and initiative of *El Tiempo* the whereabouts of that "Cuban Agent Secretly Held By U.S. for 3 Years," the modest inside headline, would still be entirely unknown. Real modest, that is Ross, his self-effacement exceeded only by his dedication to truth and reality.

Not that Gongora had disappeared, or that his whereabouts were secret. Ross's personal contribution to the obfuscation of the assassination Guaranteed there would be a public record of Gongora's whereabouts. He is and was exactly where Exhibit 1444 said he was, in Creedmoor State Hospital, still under and still in need of psychiatric care.

The backfire did not catch. A large number of Americans were misled and disturbed. Some will forever carry seriously wrong beliefs and not recall their source. Few will know the origin is a certified madman!

So, as the Garrison story was hurting the bitter-enders, the Odio story, the origin of its counterpart, hurt the Commission and the FBI.

What can we know of the men in the story of The False Oswald? To begin with, what descriptions are available of them.

In an unsigned FBI Miami office report of September 26, 1964, in which there is no reference to the identity of the agent or agents who conducted the investigation and of whose report or reports this is but a summary paraphrase, Celio Sergio Castro Alba is described in a tabulation as about 33 years of age, 5' 9" tall, weighing about 160 pounds, with black hair, brown eyes, medium complexion, and with "no beard or mustache as of September, 1963."

Here, abruptly, the report and the description end. Originally they did not. Someone edited this evidence. The Xeroxed copy I have clearly shows that a piece of paper was laid over the bottom of the page tight up against the last line quoted above and going down to the number "5," indicating this is the fifth page of the report. The bottom of the overlaid piece of paper was not cut straight. The slight graceful curve made by the snipping scissors is clearly reproduced by the Xeroxing process, as is the straight cut at the top.

There is space for a half-dozen additional lines of typing;

It is possible that someone played a little game with history, obliterating part of the report just to entrance and intrigue those who in the future might have serious interest in it. Thus, it is possible that the editing was a "joke," or perhaps a little of the 'sloppiness" by which defenders of the government's investigation seek to excuse its error. But it is also possible that information vital to any subsequent investigation was removed by this game. Comparison of the tabulation in which the Castro Alba description is set forth with others reveals that, in this series of reports alone, the FBI gives a minimum of ten items and up to eighteen. The only other description with fewer than twelve categories is, again no doubt coincidence, that of Castro Alba, obtained from Lawrence Howard in Los Angeles on September 20, 1964. All of the other descriptions contain such identification items as "Peculiarities," "Characteristics," "Scars and marks," and "Tattoos."

When FBI Agent Leon F. Brown interviewed Loran Eugene Hall in Johnsondale, California, on September 16, 1964, he got the information Hoover sent the Commission to use in its already completed Report. Brown gave a five-star performance of a farce entitled "How the FBI Investigates a Presidential Assassination Without Really Trying" -- but no description of Castro Alba or William Seymour. He did not use those fabled powers of observation and description of all the heroic FBI. In fact, he did not even hurry. He dictated his report the next day and then did not get it typed for a week. This, remember, is the *only* part of the Report that was "incomplete" at press time, the only noted continuing investigation (R324). That Hoover had some idea of Brown's investigation we know from the September 21 summary he rushed the Commission by courier (26H834-6), of the report that was not typed until two days later, September 23! (The finished Report was handed to the President September 24.)

Is this what is known as "The Hoover Magic"?

The "synopsis" of this series of reports says that Hall was "reinterviewed and advises that information furnished by him on 9/16/64 was incorrect and was furnished by error." This is another of the FBI codes. Reading the "reinterview" reveals an FBI effort -- and a very strong effort -- to get Hall to do that. The language of the second report is calculated to give this impression. But the content? Hall actually reaffirmed almost all of the information and added detail! This tremendous FBI dedication to truth and fact leads to unforeseen and, because these reports were secret, unreported complications. Hoover's report to the Commission was on September 21. The Hall reinterview was the day *before*. We know that the FBI does not train its agents to use telephone book that such cases as that of the mysterious Dallas colonel tells us. But is Hoover the only one in the FBI who can use the telephone? Could not Brown or his Los Angeles boss, if they made a mistake on such central evidence, get on the phone to Washington (it costs only a dollar a night) and say, "Sorry, boss, Hall told us wrong. Here's the real scoop?" No less perplexing is the fact that this reinterview was typed the same day as the first, September 23. In short, if the first was wrong (and in essence it was not), the written version need never have been wrong and the Commission need never have been "misinformed."

Brown makes us wonder how Baby-face Nelson dared dream of a life of crime. With Hall right in front of him, Brown asked him to describe himself and gave Hall's description of Hall, not his own. He wrote, "HALL furnished the following physical description of himself on September 19, 1964." This, even for the FBI, is a fantastic demonstration of occult powers. On September 16 Brown obtained and on September 17 he dictated a description of Hall that Hall did not provide until two days later, September 19. If it is not Hoover's magic, it is somebody's!

FBI Agent Harry H. Whidbee had the same self-confidence when he interviewed Lawrence John Howard on September 20, 1964, at Los Angeles. He also asked for a self-description. His words are, "LAWRENCE HOWARD furnished the following description of himself." If Howard gave descriptions of Hall and Seymour, Whidbee did not consider them worth bothering others with. After all, this was only the single unfinished part of the investigation of the murder of a President, and these only its central characters, so why bother them or Washington?

Whidbee is less of a streamliner than Special Agent Calvin W. Evans, for when Evans interviewed Seymour in Phoenix on September 18, he got -- or at least in his report he gave -- descriptions of not a single one of the others. Whidbee did get from Howard a description of "Cellios Albas": 35 years old, 6'10", 160 pounds, light brown hair, dark brown eyes, dark complexion, and with but a single "characteristic," "speaks little English." That, aside from race, sex and nationality, is the entire FBI description of the wrongly identified Castro Alba, except for this that in the body of his report Brown quotes Hall as saying: " 'Wahito' (Castro Alba's nickname, also given as 'Quarito') has an extremely dark complexion."

The two available descriptions of the one man are very close in age, height and weight. This would be true of a rather large percentage of men of similar ages and sizes. It is on the points of identification that the FBI gives us confusion. It describes this single man, of whom it has pictures, as at the same time having both "black" and "light brown" hair and a "medium" and a "dark" complexion.

The Brown description of Hall (perhaps because it came from Hall) includes more information than the unnamed Miami agents recorded about Castro Alba: Hall's "anti-CASTRO name" is Lorenzo Pascillo. He is 5' 11½", weighed 200 pounds when interviewed, 215 at the time Mrs. Odio was visited, is large, with black hair and hazel eyes, with a dark complexion, and "has worn mustache since 1960; hall full beard in September 1963." No other tabulated description of Hall is in any of these reports.

Howard is described by Whidbee as 29 years old (close to Hall's estimate of 27 or 28), 6'11" (exactly what Hall said), weighing "222 pounds (200 in September 1963)," against Hall's 235 figure, with "black, wavy" hair (Hall correctly said "black"), with a "medium olive" complexion (Hall said "dark"), and with these distinguishing features: "mustache, hall beard in September 1963, speaks English fluently and also Spanish fluently" and "fat." Whidbee omitted Howard's alias. Hall said it was "Alonzo Escurido." Nobody gave Castro Alba's.

To Evans, who had as much self-assurance as the other agents, "SEYMOUR furnished the following description" of himself: 27 years old, 5'6' 150 pounds, blue eyes, "brown-curly" hair, with no visible scars and marks and a "USN" tattoo on his left bicep. He is single.

In the reports, comments of these men about each other add to either the descriptions or the needless confusion, for the FBI could have been precise in its description of each and have presented no misinformation at all. It saw each of the men and it hall pictures of them.

Castro Alba said Hall "speaks very little Spanish " Hall said Hall "speaks Spanish fluently," but not the Cuban dialect.

Of Seymour, Hall said he was 25 or 26, 5'9" or 5'10', 155 to 160 pounds and "slender," with light hair and blue eyes."

Of himself Hall said he is taken for a Mexican. Howard, he said, is of Mexican descent. Of both, he "emphasized" they "wore full beard at the time."

If we combine these descriptions of themselves by the men in the story of The False Oswald, we find that Hall is: 34 years old, 5' 11½" tall, weighs 200 pounds (but 216 in September 1963), with black hair, hazel eyes, a dark complexion, has worn a mustache since 1960 and in September 1963 hall a full beard. He speaks English fluently but is also said to speak little Spanish.

Howard is 29 (or 27 or 28), weighs 222 pounds (200 in September 1963, or 235), with black, wavy hair, medium olive complexion (or dark), is fat, and had a beard and mustache in September 1963. He also is fluent in Spanish. He and Hall look like Mexicans.

Seymour: 27 years old (or 25 or 26), 5'6" (or 5'9" or 5'10"), weighs 150 pounds (or 155-160), with blue eyes, brown curly hair (or light hair), and is slender, speaking little Spanish.

Castro Alba: 33 years old (or 35), 5'9" (or 5'10"), weighs 160 pounds, has black hair (or light brown), brown eyes (or dark brown), is of a medium complexion (or dark, or extremely dark), and speaks little English.

These descriptions, while conflicting, are actually more alike than most in the Commission's evidence. In size and age, if not in distinguishing characteristics, they are quite close.

What did Sylvia Odio say of the two men who visited her with "Leon" Oswald? and whom she had seen in the hallway only briefly through the barely cracked and still-chained door?

The one whose fictitious name she seemed to recall as "Leopoldo" was "the tall one" and drove the car (11H372), either he or "Angelo" had "very thick hair" (11H383), had a mustache (11H388), and either he or Angelo "was very hairy" (11H371).

"Angelo" (11H370) was "on the heavy side," may have had "very thick hair," may have worn glasses part of the time (11H384) (which none of these men was asked by the FBI), was shorter, "very Mexican looking . . . lots of thick hair and lots of hair on his chest" (which is ignored about all the men in the FBI reports, although it can be a distinguishing feature), weighs about 170 pounds, and "had the strange complexion" (11H387).

In more general comment, she said "one of them was very hairy" (11H371); one was near 40 (11H377); they were "greasy looking" and "more like Mexicans than Cubans" according to the May 6, 1964, letter of the Secret Service Chief James J. Rowley in which we have additional interest.

Of the things they said of themselves, she recalled, "we represent the revolutionary council" (11H371), with the lower case letters rather than capitals used by the editor or stenographer, although there is a well-known anti-Castro organization of that name; "we have just come from New Orleans" (11H372); "I had the feeling they were leaving for Puerto Rico or Miami" (11H372) and from the Rowley letter, "they were going to make a trip."

Her description of "Leon" Oswald is in several respects, almost word for word the same as Russo used two and a half years later: he had a mustache or had not shaved recently and was "disgusting looking" because of his dark beard and unkempt appearance (these are the precise words of the Rowley report); "he had not shaved" (11H371); "his hair was not so cut that day" (11H389), compared with pictures of the real Oswald; "he looks shaved here and he had not shaved that day" (11H386); "it is that unshaved thing that got me that day" (11H386); "though she thinks it was Lee Harvey Oswald, it may not have been" (26H837); "I have a feeling that there are certain pictures that do not resemble him. It was not the Oswald that was standing in front of my door" (11H388).

It cannot be said that Mrs. Odio gave descriptions identical with those later given of the men who had visited her. It can be said that they are much closer than the vague words of Howard Leslie Brennan in what was later touted into a description of Oswald. It is much closer than the "description" broadcast by the Dallas police and alleged to be that of the "assassin," (11H372) and, from the Rowley letter, "they were going to make a trip." These the Commission accepted without trouble or pangs of conscience. In fact, Congressman Ford eulogizes Brennan as the Commission's "most important" witness. Unlike Mrs. Odio, who was badgered, Brennan was kid-gloved, cajoled and rehearsed. By the standard with which the Commission judged its "friendly" witnesses, Mrs. Odio's descriptions are those of these men.

All the distinguishing characteristics that were lacking in "descriptions" the Commission accepted and used as basic to its conclusions are present here. To the degree that Mrs. Odio can be checked, they are accurate or reasonable. Where they cannot be checked, it is because the Commission and the FBI fell so far short of the minimum requirements, as in having no pictures of any of the men when they were available, or in not having Mrs. Odio confront them, when this had been within federal power to arrange by merely starting not in its last month to find them but in the first.

Also, it is important to note that some of the things she said are opposite to what would be expected. These men who said they represented the JURE and the Cuban Revolutionary Council she said did not look like Cubans but like Mexicans.. That is true of Hall and Howard, as they themselves declare. She said they were on a trip, as indeed they were. It is interesting, also, that Liebelier made no effort to encourage her recollection of what might have been consistent with an October trip, when they went to Florida with a load of munitions and drugs. She had the impression from something they said they were going that way, and in October.

No effort was made to get her thinking about the false names the men used. Remember, when all this happened to Mrs. Odio, who was beset by more than one woman's share of problems, she never expected to be called upon to give testimony about it. Remember also that Liebelier and the Commission delayed her testimony until the very end, did not call her early, as she should have been. For eight months, while she was, as human beings do, forgetting, she was also being badgered. "Leopoldo," as the government knew, is not a common Cuban name. Hall's false name was somewhat similar to that, "Lorenzo." Yet Liebelier did not once ask her -- nor did any agent who ever interviewed her -- "Could It have been 'Lorenzo?'"

Or, remember the captain at the New Orleans training camp, where the men were preparing for an attack on Cuba, the camp the FBI raided and captured a large store of munitions? His name is "Leovino." Could "Leovino" have been one of Mrs. Odio's visitors?

She was less clear about the second man, seeming to recall his "war name" as "Angelo." Hall, not Howard, gave the FBI Howard's "war name." It is "Alonzo."

Is it not remarkable that with one chance in 26 of getting the correct first letter of the "war name" of either correct if she were making it up, Mrs. Odio got the correct one for *both*?

J. Edgar Hoover suggested to the Commission, "you will note the name Loran Hall bears some phonetic resemblance to the name Leon Oswald" (26H835). He did not compare and did not suggest comparison between "Lee Harvey Oswald" and "Loran Eugene Hall." But if this is a valid basis for drawing conclusions, how much more is there in favor of the refugee woman, Mrs. Odio, compared with the fabled head of the FBI, in favor of "Lorenzo" versus "Leopoldo" and "Alonzo" versus "Angelo?"

Mrs. Odio was right on the heights of the men, including Seymour if, in spite of his alibi, he was the third man. She was right on the weight and height relationship between Hall and Howard. She was right about Howard being fat. She was right about one of the men nearing 40 if one was Castro Alba. She was right about their complexions. She was right about mustaches (we cannot tell about "thick hair" because the FBI reports, written and coming from interviews long after her testimony and interrogations, avoided this as they did with hairy chests). She was right about their coming from New Orleans. She was right about their making a trip. She was right about their being bearded and having an unkempt appearance. She was right about the Mexican-Americans looking like Mexicans. She was right, they were not Cubans.

Russo's testimony covers the same time period. What he said is exactly what Mrs. Odio said about "Leon" Oswald, the name by which each had been introduced to this person who could not have been the real Lee Harvey Oswald. She used almost exactly the same words in commenting on the "Leon" Oswald she saw as Russo used.

Those who had known Oswald and were called upon for comment were consistent in their descriptions of his personal appearance. He was always neat and clean.

In all I have read about him, in the pictures I have studied, I cannot recall ever seeing him unshaven or his hair or clothing in disarray. No one else, to my knowledge, has commented on it, but the day of the assassination he had a stubble. This is because he overslept what the Commission tells us was his rendezvous with destiny. With about five minutes to dress and catch his ride with Buell Wesley Frazier, he had had no time to shave.

The shirt in which he was arrested, after all he went through in it, after a half-day at work, was neat and clean. I have made an extensive study of this shirt. It is not malodorous, it is not soiled.

Russo's testimony, therefore, raised questions in New Orleans, where Oswald had this same reputation for careful personal appearance. Neil Sanders wrote about it in the *States-Item* of March 25:

New Orleanians who knew Lee Harvey Oswald when he last lived there are mystified by the ill-kempt unshaven picture drawn of him by witnesses in the Garrison investigation. They remember the accused assassin of President John F. Kennedy as a great dresser who was always clean shaven.

* * * * *

Russo said he recognized Oswald as the man in Ferrie's apartment only after the district attorney's office touched up photographs of him by adding; a five-day beard and disheveled hair. But Oswald's landlady Mrs. J. J. Garner of 4911 Magazine, said she saw Oswald several times during September and he was always clean shaven and neatly dressed.

I never remember him needing a shave," she said. "He was always neat, certainly not sloppy."

* * * * *

But the owner of a garage next door to the coffee plant where Oswald worked said he was him nearly every day during June and more than half of July and he never needed a shave.

"As a rule, he wore a clean T-shirt and khaki pants with creases like razor blades said Adrian Thomas Alba, operator of the Crescent City Garage, 418 Magazine.

Sanders asks the obvious question: Are they "talking about the same" Oswald?

Those who have studied the Commission's evidence, those who know the descriptions given of Oswald, for example, and unquestioningly accepted by the Commission, know that in no case is there a witness who gave as much description, as many distinguishing characteristics, as many fine points of any kind, as Mrs. Odin did. Unlike the Commission's "friendly" witnesses, she was not briefed, not asked the

kinds of questions that lead to the desired answers. She rendered this remarkable performance over haggling, needling and ridicule, over opposition, and without knowing anything that would ultimately turn up after her testimony and ten months after she saw the man.

Imagine how close to perfect her record could have been if the FBI had not been playing a child's game of cops and robbers in its disgraceful sham of an investigation of the Hall-Howard-Seymour-Castro Alba gambit -- if they had acted as though they really cared and were really investigating the foul murder of a President -- if they had had meaningful descriptions of the men, had really questioned them -- and if she had had a chance to see them or contemporaneous pictures of them -- which *the FBI had and did not use!* (see *Whitewash II* chapter 7)

Others saw those who might or might not have been some of these men -- others in New Orleans and at approximately the time about which Russo testified. The close parallel with Mrs. Odin's descriptions is striking in *Whitewash* (chapter 11) I tell the story of "Oswald's" classic drunk in the Habana Bar and Lounge at 117 Decatur Street. Orest Pena, a naturalized American and former FBI informant on what he took to be pro-Castro activity, owns it. His brother Ruperto, who describes himself as pro-Batista, and Evaristo Rodriguez, work for Orest. Bringuier's store and headquarters are close by, at 107 Decatur Street.

There is much to indicate this drunkard with the spectacular illness was not the genuine Lee Harvey Oswald. Oswald drank infrequently. The Commission turned up no evidence he ever got drunk. Also, this one was tied on (after a head start) beginning between 2:30 and 3:00 A.M. and long after Marina had joined him in New Orleans. It is not likely she would have been unaware of either his nocturnal absence or his illness. According to the May 15, 1964, report of FBI Agent Stephen M. Callander, Rodriguez placed the hour at between 3:30 and 4:00 a.m. and the time in September, which is consistent with Russo's testimony and the possibility of the same man being in Dallas at the time to which Mrs. Odin testified.

The drunken counterfeit Oswald and his unidentified companion entered the bar and ordered a tequila and a lemonade. The compounding of lemonades exceeded Evaristo's technical skill. He consulted Orest, who told him to sprinkle lemon flavoring in water and charge a quarter for it. "Oswald's" companion thereupon made conspicuous and unnatural cracks about the ownership of the emporium 'being vested in a man who, from his prices, must be one of the less desirable "imperialists" or "capitalists" (11H341). (This is astoundingly like what a man who looked like and gave his name as Lee Harvey Oswald but, according to the Commission, could not have been, did in an automobile agency in Dallas, where he also was remembered for his crack about "I might as well be back In Russia." It is, like the nasty observations at Pena's, the least likely thing for Oswald to have done and the most obvious thing for a counterfeit wanting to be remembered to do.) If all this -- the insults, politics and (shudder!) the "lemonade" -- did not attract sufficient attention, a nonstop vomit from and on the table, across the floor and cascading into the street did. It all worked. It is remembered vividly.

Rodriguez noted of the second man that he was a, Mexican, about 28 years old, 5'8" tall, weighing about 155 pounds, and having very hairy arms (11H341) another characteristic not mentioned in the series of reports on Seymour, Hall and Howard. Of "Oswald" he noted, as did everyone else, the receding hairline (11H343). Orest was of similar recollection. His portrayal is strikingly like Andrews's description of the "Mexicano" who could go to "fist city."

What were Hall, Howard and Seymour up to?

Inferring from their own account, albeit as filtered by the FBI, they were training Cubans for the invasion of Cuba, collecting money, arms, medicines and at least one boat for this purpose, making speeches, doing some of the gun-running themselves, and getting away with it.

As I pointed out earlier, this was illegal and against declared national policy. There was CIA support for and direction of these activities at this time and may have been a little later, but it was counter to President Kennedy's anti-invasion pledge that was part of the solution to the Cuban missile crisis. It is no secret that the CIA supervised the training of Cubans within the United States for such adventures. It

is also no secret that ordinary citizens do not successfully engage in openly illegal activities that might compromise the national government unless they have at least covert support. In this field, that was provided by the protection and approval of the CIA.

From the internal evidence of the files, it seems that of this band Hall was the leader and the speaker, the money, munitions and, if they really had any, the drug-raiser. He also seems to have had least to do with training. When they were in Dallas, he did the arranging, saw those who were to be seen and, if the others are to be believed, the only one who knew who was to be seen and what was to be done.

To understand them, what they were up to, how they fit into the story of the assassination and of Oswald in New Orleans, and to get a better understanding of the nature of the so called investigation, we should examine the primitive reports that would not have earned Orest Pena passing grades in the correspondence course he took in detective work.

Assuming they made no *honest* mistakes and told no lies, the accounts are consistent with Mrs. Odin's Commission testimony and Russo's in New Orleans. These men were in Dallas "in the latter part of September," according to Hall. They were also in Dallas in October, for Hall and Seymour were arrested October 17 on a dangerous-drug charge. Hall said "that he recalled visiting Dallas five times during 1963," in January, April, June, September and October. With something more of an investigation and interrogation and with less knowledge and assurance that nothing would happen to him, Hall's memory and that of the others might have been sharper.

We lack background on the others but have a little on Hall. He claims to have fought with Castro and to have defected, then, in the United States, to have (to whom is carefully omitted) "offered to obtain medical supplies and funds to 'support a small invasion group.'" This is revealed not in Brown's interrogation of Hall but in Whidbee's report on Howard. Hall was caught later in October running guns. Howard knew about it and referred to the incident without revealing what had happened. Whidbee and the FBI, having all the evidence available, likewise and with delicacy, made no reference to it. It served Whidbee's purpose to quote Howard. That gentleman holds Hall as "basically responsible for having

destroyed the effort which HOWARD, SEYMOUR and others of the invasion group had made to effect a successful invasion of Cuba. HOWARD said that HALL is a 'scatterbrain, unreliable, emotionally disturbed and an egotistical liar.' Why did Howard have this low opinion of Hall, the very last thing -- the dramatic thing -- in Whidbee's report?

For that we have to consult not Hall, not Howard, not the agents who interviewed them. Evans reserved that for the end of his report on his Seymour interview:

SEYMOUR explained that the trailer contained some arms which were destined for the anti-Castro forces, but that HALL was caught with these arms near Key Largo, Florida, by the U.S. Customs Officials who confiscated them. HOWARD and SEYMOUR became disgusted with HALL and the way he "ran off at the mouth" when he was stopped.

The FBI always manages to find direct quotations for prejudicial opinion, never for fact. So Hall's crime is simple and dual: He got caught and he did what is expected of citizens caught in the commission of a crime. He cooperated with the government. On its part, the generous government contented itself with confiscating the munitions. Hall was turned loose.

In a September 20 reinterview, Hall said he seemed to recall that on the trip about which Mrs. Odio testified it was not Seymour but Castro Alba who was with him. "He recalls now that he left Los Angeles in his 1956 Oldsmobile, pulling a small trailer of supplies (how delicate is the FBI!), about the middle of September 1963." (Here we have the identification of a car associated with these men. Ruperto Pena saw two Mexican-looking men already involved in an incident at Pena's bar and in whom he knew the FBI was interested. He got the license number and, speaking no English, gave it to Bringuier, who telephoned the FBI office. Neither of these men was asked for this identification when Libeler questioned them. The identification appears in none of the FBI reports.) It took them two and half days to get to Dallas and they remained "about four days." He left the trailer and drove to Miami in three days. No

reason for abandoning the trailer was given or sought by the FBI, nor was Hall asked with whom it was left and where, according to the report.

From the Hall accounting he returned to Dallas, leaving Miami in early October. The FBI gives a few dates. Its specification is reserved for assault on the man who confirmed Mrs. Odio's story, despite the faithless representation of what he said by the FBI. Seymour was with him. He was not asked if he had made any stops en route, such as in New Orleans. "They stayed at Dallas for six days during which time they were waiting for a contact with a U.S. citizen, who he declined to identify, concerning a boat."

Hoover may be interested in knowing his men are not so tough as Customs agents. Hall talked for Customs. Or is it that the FBI is tough, but not where the CIA is involved? Whatever the reason, the name of the American to have provided a boat is not given, if it was ever really demanded and insisted upon by the FBI, which is unlikely.

Part of the time they stayed "at the home of a Dallas resident, but . . . he could not identify this person as he is unwilling to bring any Americans into any account of his activities." Again, that great FBI respect for thieves' honor. No insistence. Not remarkably, this intelligence appears in none of the other reports.

Hall also said "when he and SEYMOUR were arrested at Dallas, Texas, he was interviewed by several different representatives of various federal intelligence agencies. He also said that his photograph had been taken several times while he was in custody, both by Polaroid and by a mug shot when he was seated behind a board which had numbers in it. SEYMOUR also was photographed. Both were fingerprinted. HALL also said that a Dallas resident had made available \$5,000, which HALL put up for bail, and that they were released . . . told . . . by the prosecuting attorney, one Mr. WADE', that charges had been dropped . . . they left Dallas, taking the trailer which had been left on his previous trip through Dallas to Miami.

All that tough-guy stuff with which we have been regaled for years? A punk says he will not answer a question (if, indeed, any questions were asked -- and these reports do not reveal that any

questions *were* asked) or that he prefers not to, and the FBI falls apart. They are content not to have answers, not to have names. Not the name of the man at the bank, not the name of the colonel, not the name of the man in whose home these characters stayed, not the name of the man who put up bail, not the name of the man who was to have provided an invasion boat. Picture of the mighty FBI cringing when a "scatterbrain," an "emotionally disturbed" man who is a "congenital liar," a "loud mouth, boisterous, filthy-talking" braggart says, "I donwanna!"

These G-men, apparently, did not see the right movies in their boyhoods.

So we do not know all these vital things, these names. And we do not have these pictures. The FBI *had* pictures. Not one is printed. Not one is available in the archives, despite the attorney general's order requiring it.

Who are the "several different representatives" of the "various federal intelligence agencies"? Where are the reports of these interrogations? Is there not space in 26 large volumes for these reports? The Commission was allegedly investigating the murder of a President. Mrs. Odio's experience was reported to the investigators almost immediately. But not one report of any one agent of any one federal intelligence agency surfaced? Not one of these agencies was checked to see if it had any data on these men? Nothing is more likely than the CIA, with what these men were doing. The CIA was one of the arms of the Commission. It had nothing in its files? But if there was no volunteered information, did not the FBI ask its brother investigators if they had any information at all?

Dallas District Attorney Henry Wade did not think of this on his own as soon as he heard Mrs. Odio's story? None of the arresting police remembered it? They never checked their own files? The FBI Dallas office never checked its own files, for the record of this arrest *was* filed there.

But the knowledge did not leave the FBI field office until after Rankin asked for additional information in his letter of August 28. Are we to assume that the same records did not exist in Washington? The Dallas FBI was on a first-name basis with all the top police brass, so they went to a minor clerk and accepted her statement she had no pictures of these men and then allowed her to conduct

their further investigation, which also did not yield the pictures. The report that the police had no pictures is somebody's lie. The men themselves report the taking of both mug shots and Polaroids.

The men say Henry Wade told them the charges had been dropped after the unnamed "Dallas resident" put up the \$5,000 Hall used for bail. But the knowledge *did* not leave the FBI office until after Rankin asked for ;additional inquiries in his letter of August 28, 1964.

Henry Wade tells me, "I have no recollection of ever having talked to either man." He confirms the arrest and had one of his investigators check it in the "records division of the Dallas Police Department." His office "has no records" of "any charges having been filed against either." This is not the same as having no records. And it is not a denial of Hall's statement that Wade, personally, told them the charges had been dropped. Wade says he has "no recollection." Who else can say whether he remembers?

The date of the arrest was October 17, 1963. Wade referred me to the police department.

The Dallas Police Department does not write letters. They took mine and stamped on it, "The files of the Dallas Police Department are confidential and cannot be released except to law enforcement agencies." The stamped signatures are those of Charles Batchelor, chief, and Captain George M. Doughty of the Identification Bureau.

Now, I did not ask for the "release" of these files. I asked for information that is generally public. Certainly there can be no secrecy over the fact of the arrest, for the District Attorney himself sent me that data from these very same files. Is it possible that bail records are secret?

Or is it possible the Dallas police have not changed after changing chiefs?

Who are all these people in all the many different federal and local agencies protecting? Not those arrested, for they speak of their arrest and the prosecuting official feels he can make this fact known without violation of law or their rights. If it is not for the protection of the men involved, who or what is being covered up?

Who was training Cubans in the United States for the invasion of Cuba, the activity in which both men were engaged at the time of their arrest? Who can violate laws, specifically the firearms and neutrality laws, with impunity? Who can involve the government in violation of its own declared policy and get away with it?

There is but one answer: The CIA.

Rather than destroying Sylvia Odio's story, though, the FBI actually reaffirms everything, with one exception: the presence of Seymour on the September trip. But if there was error in Hall's first FBI interview, and Seymour was not on that September trip and was on the October one, what happens to his alibi?

It is advanced by the FBI on the very first page of the Miami report. Seymour's employment by the Beach Welding and Supplies Company ended October 10, a week before his arrest in Dallas. He quit because his mother was sick and he had to go west to her. But, according to Hall, after October 17, Seymour was going east, back to Miami. Seymour himself told Evans that it was not until *after* Hall was caught running guns and made the undisclosed confession to the Customs service that he and Howard "returned to their homes."

Howard, in his statement to Whidbee, dated this in January 1964.

Also not subject to simple explanation -- neither the Commission nor the FBI attempt *any* -- are the extensive arrangements preparatory to the visit to Mrs. Odio. They were extraordinary. The briefing was elaborate and careful. These men told Mrs. Odio they were friends of her father. "They used the underground code word names of her father and mother and seemed very familiar with her family and conditions in Cuba" (R6). This could hardly be accidental. These were total strangers who had been well prepared for whatever mission they were on.

"He gave me too many details about when they saw my father and what activities he was in, I mean they gave me almost incredible details about things that someone who knows him really would . . ." (11H370)

She wrote her father. He replied Christmas Day, from Nueva Gerona prison on the Isle of Pines, warning her. "Tell me," he asked, *who this is who says he is my friend -- be careful. I do not have any friend who might be here through Dallas, so reject his friendship until you give me his name* (22H690).

Why, in the face of the unquestionable evidence that the Odio affair was real, and of importance to them, does the FBI pretend it is not?

Instead of checking out her story, which may be the *crux* of the case, and which the Commission doubtless also did not want it to do or it would have acted sooner and more meaningfully, the FBI set out to destroy her by literary devices, by the pretense she was of unsound mind and undependable, by the nastiest and slyest implications. (Whitewash II)

But in doing this they had to engage in more cover-ups. Some of it may be plain incompetence, or carelessness. Yet it is difficult to believe all the plain stupidities were deliberate.

For example, there are three different addresses given as her residence for the two months before the end of September 1963, when she moved to larger quarters to accommodate her four infants she had brought from Puerto Rico in August. Mrs. Odio, who moved often after her husband abandoned her with the infants and who was ill, needing surgery, did not remember the exact number.

"I am almost sure of the number -- 1024 Magellan Circle. It is the Crestwood Apartments. I am not sure of the number" (11H374).

But on September 10, 1964, when Agent Richard J. Burnett wrote up his interview of the previous day, he gave the address from which she had moved, the address at which she had had this "visitation," as "1084 Magellan Circle, Casa View, Dallas Texas." It was not "Casa View." It was 1080, as the renting agent told the FBI. It was apartment A, according to the FBI summary report of October 2 from the Miami office. It was also identified by *the* men who were there, who had the correct address. In

these very reports that the FBI tries to say mean the opposite that the men had not been there, that in some way Mrs. Odin dreamed it all up -- it is proven that they *had* been at the Magellan Circle address.

There is a possible point in all this fudging. By the time the men were questioned -- much too late to be part of the Commission's investigation -- they were put in a position to lie without lying. For example, when Agent Calvin W. Evans interviewed William Seymour on September 18, by giving Seymour the wrong address he made possible the response that he has in his report of the next day, File No. 105-1529: "He had never heard of the address on Magellan Circle, Dallas." Seymour might not have heard of 1084 but might well have "heard of" 1080.

Whatever may or may not be said of this sorry mess, it is a hell of a way to investigate the assassination of a President.

The affair at Sylvia Odin's brought to light two additional things the government avoided or suppressed that I exposed in *Whitewash* (chapter 11): The threat to assassinate President Kennedy and the threat to assassinate Fidel Castro. One plot was for the two assassinations. This is logical, for those who wanted to kill Castro had the same motive for killing Kennedy. Attention focuses on the Bay of Pigs, where the murdered President kept the CIA and the military from following their folly deeper into greater disaster. Perhaps more motivating is the solution to the Cuba ' Missile Crisis of October 1962, the United States' contribution to which was the assurance of Cuba's territorial integrity. This was the end of the ambitions of the exile groups which had one thing in common -- recapture of control of their island homeland. Some, murderers and plunderers, wanted no more than the license to loot they had enjoyed. Others were genuinely opposed to Castro; theirs a political disagreement, a violent opposition to the new political and economic society of Castro's Cuba. They plucked bitter fruit from the tree of Kennedy's realpolitik. His policy was their end, the guarantee of a lifetime of exile and futility.

Once the Garrison investigation was public and had established its seriousness and possibility of success, newspapers began to print what had been stifled for more than three years. We have earlier quoted "leaks" that the CIA plotted Castro's murder and the implication that the Kennedy assassination

was his revenge, delayed several years. This is illogical; it is the propaganda backfire. The truth is, Castro desired the continuation in power of no world leader more than Kennedy. It is Kennedy's policies that assured him against invasion.

The New York *Times* of February 21, 1967, reports its own variant, "that President Kennedy's assassination grew out of a plot by anti-Communist forces to kill . . . Castro . . . and later decided to attack President Kennedy when Oswald was denied entry into Cuba." This "theory" has Oswald the intended Castro assassin.

No one ever seriously intended Oswald to assassinate anyone. If he had the disposition, and there is no reason to believe he did, he did not have the capacity. He was, as *Whitewash* shows from all the credible evidence, a really poor marksman. If one is to theorize along these lines, it makes more sense to postulate that Oswald's function was to get a visa, to be used by a look-alike who would be the real Castro assassin.

Following his own on-the-scene investigation in New Orleans, George Lardner wrote in the Washington *Post* of Friday, March 3, 1967, that "the broad outlines" of Garrison's investigation follow what "had previously been set forth by Harold Weisberg" in *Whitewash*. The "script" of Garrison's inquiry, Lardner said, "can be glimpsed in any bookstore . . . started with Harold Weisberg."

I cite this, not for self-advertising, but because *Whitewash*, which is the most complete analysis of the Report and the first, comes entirely from the Commission's published evidence. It is the only such book. What these news accounts show is that, despite its own misdirection, the Commission could not avoid gathering the evidence that shows what was really afoot. All that is in *Whitewash* comes from what is *public*.

Though it is difficult to avoid the truth, in its Report the Commission did, with the simple but monumental *non sequitur* already quoted, that it could not have been Oswald. That should not have been the end. It should have been the beginning.

All the various existing representations of what Mrs. Odio said have to be brought together for it to make sense, although there is enough in her testimony alone. Of course, we do not have a record of all the things she said: we have some of the versions of what federal investigators recorded of what she said. The only record of questioning is Liebel's, which is consistent only with the predetermination not to believe. There is no part of his interrogation, coming after a long series of intimidations and abuses, calculated to build her confidence in the dispassion of the government's purposes or to persuade her she had nothing to fear. The record he left is like that of the others. She could not be ignored -- that nobody dared do. They would listen, steer her in the wrong direction, subtly undermine her, but try to eliminate the potential criticism of suppression: too many people knew of Mrs. Odio's experience. So, she was delayed in her testimony until July 22, 1964, a month after the Commission had planned to have its work completed -- too late for the launching of a real investigation.

It was, as we have seen, more than another month before the Commission did anything with her testimony. Then it was more interested less in getting at the root of what she revealed than in a belated check on her reputation, which the FBI did its best to destroy: for example, a series of subtle and entirely false hints would imply that she is insane.

Mrs. Odio was interviewed repetitiously, before and after her testimony. As Pena had complained, she was asked the same things over and over. But the new things, those not asked, remained unasked. The first agents to interrogate her seem to have been Bardwell Odum and James P. Hosty. While Mrs. Odio was agonizing, wondering whether to report her experience, she consulted friends for advice. One was her psychiatrist, another the volunteer social worker of the Dallas Cuban Catholic Relief, Mrs. L. C. Connell.

Mrs. Connell telephoned the FBI. The report of this interview, by Agents Norman W. Propst and Ural E. Horton, dated November 29, 1963, is Exhibit 3108 (26H738-9). Although one of the earliest and one of the more important, it is numbered one of the very last, printed by afterthought apparently, as one

of a series covering the initial investigations that point in a direction the government decided it did not want to go.

Another and similar exhibit is also somewhat mysterious. It is the May 5, 1964, letter to the Commission of James J. Rowley, head of the Secret Service (Exhibit 2943, 26H402-5). We can only conjecture why Rowley did not trust his inspector, Thomas Kelley, to write the report of his own investigation for the Commission; why the Commission was satisfied to get its hearsay that much further removed; and why it never called as a witness Father Walter McChann (this is the most common and least logical. of the government's unvarying misspelling of the name of the young priest. The proper spelling was immediately available to the government which, on all levels, was not interested in accuracy. The correct spelling was available from the Dallas telephone book. His parents live at 723 North Oak Cliff Boulevard. The correct spelling is "Machann." The pronunciation is "M'kan." I here use the most common misspelling in the hope it will result in least confusion. Without doubt, many other names are needlessly misspelled), from whom most of the information in Rowley's eight-page, single-spaced letter, was obtained.

The Miami office reported on its investigation that began 12 days earlier exactly the same day that Rowley wrote. Its elaborate nondiscovery of the man who did not exist, Father Walter "MacHann" (as the Miami Secret Service spells it), is summarized thus: "Inquiries in Miami leading to the identity (sic) and current whereabouts of Father Walter MacHann have been unsuccessful." Special Agent Ernest I. Aragon went to Monsignor Fitzpatrick and "reinterviewed" him. It is not surprising that Aragon reported "Monsignor Fitzpatrick searched his official Catholic Directory, which has all the names of all the Catholic priests working in the United States, and the name of Father Walter MacHann did not appear in the Directory." Not unnaturally, Aragon's other searches also failed to disclose trace of "Father MacHann."

The official court reporters and the indexer had the same blind spot. In Liebler's interrogation of Mrs. Odio, the name came out "McKann." To the indexer, it exists in no variant. Father McChann is not listed. The indexer's "line" was that of the Miami Secret Service. The good father does not exist.

But it would not wash. Rowley did have to write his letter, for whatever reason keeping Inspector Kelley, who was well known to the Commission, and the key man in the Secret Service's part of the overall investigation, out of it. Despite the wrong and predetermined doctrine of the Secret Service and its pretense that Mrs. Odio could give the real names of the characters of The False Oswald, there was the most vital intelligence in the Rowley letter, as there was in the Connell-FBI interview. It had to be -- and it was suppressed from the proceedings. We will come to that.

Father McChann was spiritual counselor to the Dallas exile community. Inspector Kelley, apparently believing or pretending to believe that Mrs. Odio was holding back, found the priest in New Orleans and asked him to telephone her and seek her cooperation, as though the harassed young woman had ever offered anything less. Rowley's exact language here seems to show how the official investigators succeeded in not investigating the assassination: "Father McChann was requested to call Mrs. Odio in an attempt to secure from her the name of the Jure representative who accompanied Oswald."

Assuming, as Mrs. Odio had every right to, that all of this showed the government did not trust her and, at worst, that it was determined not to believe her, how was she to react to such persistent badgering? Suppose, as I do, that she was honest and, within limits, forthright with the government, that she had never met these men before and did not know their right names, how was she to respond to the ceaseless assaults on her integrity? The wonder is that she continued to cooperate at all. She had to consider whether the pressure was to get her to change her account of what had happened. The Secret Service attitude is unmasked in this Rowley sentence about McChann, "He did not realize at the time that she had not made a full and frank disclosure of the names of the people who brought Oswald to her."

Although the priest seems to have believed the Secret Service "line," he did phone her and reported to Kelley an hour later. He said "she was very anxious to discuss the entire matter. She advised him the only information she could provide on the people who visited her was," in effect, what she had already said.

Rowley's letter reveals why the government had not gotten from her all the information she had. It is the typical complaint, not Mrs. Odio's alone, of a great number of witnesses:

"Sylvia further said that she did not tell everything to the FBI because they did not ask her these questions." If the FBI ever disputed this, the record is barren. "She felt that the FBI had interviewed her improperly in that they had come to her place of employment . . . source of embarrassment to her and she later quit her job at the Chemical Company partly on this account."

Agents Hosty and Odum confirm Mrs. Odio's appraisal of their lack of interest and seriousness. They delayed interviewing her for three weeks. When they reported their December 18 interrogation, they did it in two paragraphs, thirty short lines of typing. In its entirety, it reads:

Miss ODIO stated that in late September or early October 1963 two Cuban men came to her house and stated they were from JURE. They were accompanied by an individual whom they introduced as LEON OSWALD. Miss ODIO stated that based upon photographs she has seen of LEE HARVEY OSWALD she is certain that LEON OSWALD is identical with LEE HARVEY OSWALD Miss ODIO stated she is not certain if she misunderstood the first name of LEON or if the two Cuban men who introduced OSWALD as LEON misunderstood him. Miss ODIO stated the purpose of their visit was to ask her to write some letters to various businesses in Dallas and request funds for JURE.

Miss ODIO stated that both of her parents are presently in prison in Cuba and for this reason she declined for fear her parents would be possibly harmed These two individuals together with OSWALD then left. A few days later one of the two Cuban individuals contacted her by telephone and stated they were leaving to return presumably to return to either Miami Florida or Puerto Rico the headquarters for JURE. The individual who called Miss ODIO who only gave his name as LEOPOLDO stated he was not going to have anything further to do with LEON OSWALD since he considered him to be loco This individual known only as LEOPOLDO stated OSWALD did not appear sincere He told them he was an ex-marine and could help them in the underground however he appeared to be very cynical and seemed to think that all Cubans hated all Americans. According to LEOPOLDO OSWALD stated "I'll bet you Cubans could kill KENNEDY for what he did to you at the Bay of Pigs." According to MISS ODIO, LEO-

POLDO told them that the Cuban people bore no malice toward President KENNEDY Because of the Bay of Pigs episode.

It is not accidental that the FBI went to her place of work and not her home. It was intended as pressure. Mrs. Connell had given Agents Propst and Horton Mrs. Odio's current address, and it is in their report 1816A West Davis Street, Dallas.

Despite this, the young woman still wanted to help the authorities:

Father McChann said that Mrs. Odio had expressed a desire to him to be interviewed saying that she will be perfectly frank in any interview with the authorities; that she is most anxious to clear the matter up and will cooperate wholeheartedly in any inquiry and give her recollection of the matter to the best of her ability.

The reason for Sylvia's initial fears, beginning with her collapse when she heard of the President's murder, is that she "feared that the Cuban exiles might be accused of the President's death." That she had grounds for such apprehension is also explained by the words Father McChann attributed to "Leopoldo" about "Oswald": "He told her that Leon was willing to do anything; that he had laughed at the Cubans, saying they had no 'guts' and that it would be easy to kill Kennedy . . ." This is absolutely what she testified to ten weeks later, what none of the many niggling, haggling and harassing investigators intimidated out of her, what Liebler never shook. Considering the enormous pressure on her to withdraw from this account of what she had been told, I believe her persistence under it is an endorsement of her integrity and a sign of the devotion she had to the country that gave refuge to her and many of her numerous family and friends.

Now she is a afraid. She would not talk to Garrison's men.

The Rowley letter did not have the influence it should have had on the course and doctrine of the Commission's work. Yet it did not gather dust. Liebler knew about it. He failed to use it properly. His purposes were to discredit Mrs. Odio and protect the FBI. There was never any Commission

investigation of the endless complaints of misquotation by the FBI, of its unhidden pressures on witnesses, or of, as Mrs. Odio put it, their failure to seek the right information, to ask the necessary questions. There could not be, for the Commission followed the same practice. Those writing really critically of the Commission agree that it often failed to ask the next most obvious question at the critical points.

Liebeler knew all about this memorandum and questioned Mrs. Odio about it (11H376).

"Do you know Father McKann?" he asked. Mrs. Odio said she did. Liebeler never bothered to identify the priest or his function or connection with Mrs. Odio. Had he done this, he would have had another Pandora in front of him. He asked if she recalled the priest's telephone call -- he even had its date, April 30, 1964. She did remember the call.

Although it was Liebeler who took Mrs. Odio's deposition, it need not have been Liebeler who annotated the Rowley letter. It was marked to emphasize parts of it, to call attention to its contents. Naturally, the complaint against the FBI is not accented. Where Mrs. Odio recounted the revelation by the men that they were going on a trip, the words are underlined and in the margin, in large capital letters, is the word "TRIP." It appears the only trip any of the investigators was capable of conceiving as relevant was Oswald's, to Mexico. The men engaged in the counterfeiting of Oswald made other trips, to the west or the east coasts from Dallas, to and from New Orleans. These were ignored.

The threat to kill the President was underlined. Another is her comment about Oswald's bearded and unkempt condition, so like what Russo testified to. But as reproduced in Volume 26, this letter is not identical with the file copy I have. From unmistakable internal evidence, however, it is reproduced from that copy of a Xeroxed copy of it. The underlining that has not been removed from the printed version is identical with that of the file copy. Each squiggle coincides. There are notes in the upper and side margins in the file copy, not a single one in the printed copy. Why and how this was "cleaned up," whether by "accident," should be explained, for the annotations in the files indicate what someone on the staff was aware of, ample indication of what should have been looked into and was not.

In neither the file copy nor the altered version did anyone consider the deficiencies of the FBI in the investigation of a President's murder worthy of high lighting.

One of the too many purgings -- and a single one is too many -- is of an almost illegible, handwritten note at the top of page 4. Because this was Liebeler's case, there is a natural presumption the handwriting is his. It may not be. As best I can decipher it, it reads, "She said Leon did not use the name Oswald in her presence. This doesn't --- with the story told by Mrs. Connell."

Neither Liebeler nor anyone else on the staff knew "the story told by Mrs. Connell." She was never called as a witness. The best they could know is what Propst and Horton remembered and chose to commit to paper of what they elected to ask her in the November 29 interview. What Mrs. Odio said does not jibe with what the Propst-Horton report says she said. That is palpably false. It attributes to Mrs. Connell the quotation of Mrs. Odio as having said that "she knew LEE HARVEY OSWALD, and that he had made some talks to small groups of Cuban refugees in Dallas in the past. ODIO stated that she personally considered OSWALD brilliant and clever and that he had captivated the groups to whom he spoke" and so forth. That "past" would have had to have been very brief, for Oswald's second residence in Dallas was then but a matter of weeks. What its most likely, assuming that the FBI was at all close to what Mrs. Connell had actually stated, is that there was a confusion between Oswald and someone who actually did speak. This provokes interest in the meeting about which Liebeler did not really question General Walker although he could have, about which the evidence does not even indicate the names of the speakers, although Liebeler knew they had come from Miami. This, in turn, is reminiscent of the stories of the characters in *The False Oswald*, of Hall's public speaking in this cause.

What this note and its elimination from the published version of it do is prove that someone on the Commission staff was aware of the Connell report and had compared it with the Rowley letter. It therefore is appropriate to quote three paragraphs from these two documents, the first one from the Propst-Horton report and the next two from Rowley's letter:

CONNELL voiced the opinion that General EDWIN A. WALKER and Colonel (FNU) CASTOR, a close acquaintance of WALKER, have been trying to arouse the feelings of the Cuban refugees in Dallas, against the KENNEDY administration. She based this statement upon information furnished her by various Cubans to the effect that WALKER and CASTOR made speeches before Cuban groups in recent months in the Dallas area in opposition to the KENNEDY administration policies.

* * * * *

He also acknowledged knowing Mrs. Eugene Link, Albert Tamaya, Marcella Insua and Hector Isquerivo, all of whom he met during his work with the Cuban Catholic Committee. He also acknowledges knowing Colonel and Mrs. Castor. He said Colonel Castor is a retired Army Colonel. Mrs. Castor seemed generally interested in the plight of the Cuban refugees, but that he always felt that Colonel Castor was "playing the role of an intelligence officer" in his contacts with the Cubans; that he seemed more interested in their political beliefs than their economic plight or their social problems in the new country.

Father McChann said that while he was interested in the Cuban groups in Dallas he was contacted about four or five times by Wallace Heitman of the Dallas Office of the Federal Bureau of Investigation. He first made a contact with Heitman when it came to his attention that one of these Cuban refugees was extorting money from other Cubans, was making false promises to the Cubans, was a disruptive influence in the Cuban community and was considered by Father McChann to be a "political Cuban" rather than a Cuban who was interested in receiving any assistance from the Committee. He could not recall the name of this Cuban but he believes that the Cuban is still employed at Parkland Hospital.

In *Whitewash II* I exposed this and gave the real identity of Colonel L. Robert Castorr, then of Dallas, now of Arlington, Virginia. This identity had been pointed out to me in an anonymous letter that I now know was written by Mrs. Shirley Martin, of Owasso, Oklahoma (who also supplied me with some of the newspaper clippings the Commission would have been well advised to have used). At that time I pointed out that both the FBI and the Secret Service, independently or collectively, did not even consult the phone book to learn this colonel's first name, to find and, if not grill him, at least to ask him if he had anything to say. With the involvements of Cubans in the assassination, how are we to understand the failure of the Secret Service to meet this minimum required of them? How are we to understand it when Rowley's own letter uses these words: "that Colonel Castor was 'playing the role of an intelligence officer?'" How are we to understand that Father McChann was not called as a witness -- not in the Sylvia Odio part, not in the "role of an intelligence officer" part?

How are we to understand the failure of anyone to look into that "political Cuban" already known to be a "disruptive influence," the kind of a man who would extort money from his fellow refugees, who made them false promises? The presence of a Cuban of this reported character in the employ of Parkland Hospital could be in itself a major clue to the assassination and its subsequent investigation. My earlier books prove that the Commission's accounting of that single bullet with a built-in control and an intelligence like nothing ever launched into space, is not even science fiction. This bullet, whose antecedents are not known and were misrepresented to the Commission and through it to the world, is said in the Report to have inflicted all seven non-fatal injuries in both the President and the Governor, to have smashed bones and deposited fragments in two parts of the Governor's body (the fragments in his chest were hidden from the members of the Commission but are in the evidence) and through all of this to have emerged virtually perfect. It is also alleged to have been found on Governor Connally's stretcher. In any event, the medical evidence, entirely misrepresented and misquoted in the Report (see *Whitewash*, "The Doctors and the Autopsy"), is that the path imputed to this bullet is inconceivable.

In short, the Commission's own best evidence would indicate this bullet was planted. At the time of the Rowley letter, the Commission had reached no conclusions, according to its present apologists. At the end of its "investigation," the inference that this bullet was planted at the hospital was unavoidable. How could it then early in the investigation have been ignored as a possibility by a Commission and an FBI and a Secret Service that were allegedly conducting the investigation? The early knowledge or fear of the planting of the bullet is the only reasonable explanation for the failure of anybody to investigate this prime suspect, the "political Cuban," as the planter.

This is the description of a man capable of anything. He was in a position to do it. He had the free run of the hospital. With his hospital uniform, he is one who would have been suspected of nothing, no matter where he went or when he went there. He need only have touched the stretcher that was accessible to him when it was, in the official account, on the unattended automatic elevator or during the

long period of time it was unattended in the corridor. At the time of the assassination, there was no reason to suspect any hospital employee.

That bullet is a small one, slightly over a quarter of an inch in diameter, the size of an infant's finger. It could easily have been palmed by a grown man if he were under observation or feared it and presented even less problem if others were not present and watching.

From the only evidence, the 'found" bullet was not *on* the stretcher, anyway. Not one of the people who handled Governor Connally ever saw it. None of the people who examined or handled the stretcher ever saw it. When it made its appearance, it was *underneath the mattress!* What a truly remarkable bullet, ancient and small as it was, to have worked its way to this hiding place without human hands to help it. What a clever bullet, to hide under this mattress until just the moment the hospital engineer, Darrell Tomlinson, could jar it out!

The priest could have picked him from a line-up of all the hospital's Cuban employees, and he then could have been asked to account for his whereabouts at the crucial time.

That this was never done cannot be regarded as less than suspicious. That no effort seems to have been made to locate Father McChann does not reduce suspicion. That it seems not to have been done since publication of *Whitewash II* in early December 1966 (and there is indication the federal investigators had a copy of the manuscript in advance of publication, not given them by the author) encourages no kinder thoughts.

How are we to regard Liebler's course of action and inaction? He had General Walker on the stand for what he inadvertently but accurately described as a friendly session. He asked, as we have seen, nothing about the October meeting Walker attended, although he knew enough about it, without asking, to know the size of Walker's contribution. He knew or should have known considerably more. The accessible files show more. They show influential people were behind this meeting, that it was held in a respectable place, a bank's meeting room. It is Liebler who questioned the Cuban witnesses and many of the Dallas and New Orleans witnesses so enmeshed in the stories of The False Oswald in New Orleans.

What little we now know of the travels and presences of these characters is consistent with their having been in Dallas and seems to make possible their presence at this Walker meeting, if not their participation in it. This also roughly; coincides with the time two of them were in the hands of the police, with when the trailer-load of arms was in Dallas, and with so many other things in which neither Liebeler nor anyone else had any interest.

Whether or not it is he who annotated the Rowley letter -- and that can readily be established even now -- Liebeler had to know of the Propst-Horton account of what Mrs. Connell said: that this colonel (whose name, identity, connections and activities it was Liebeler's responsibility to learn if they were not known) was a friend of the radical-right General Walker.

It was not Liebeler's function to be a prosecutor. Yet that is how he performed, especially in his interrogation of Walker. He sought to pin a bum rap on the murdered accused assassin. It was not his function to act as Walker's defense counsel. It was his obligation to do as a federal official what he now says he is doing as a private citizen -- to get "both sides."

Although it should not weigh in this, any impartial study of his "friendly" questioning of the extremist general leads inevitably to the suspicion that there was a political sympathy. Walker was granted favors and rights denied others. Liebeler, for example, as earlier shown, promised him access to the "Top Secret" transcript. Liebeler allowed him to refuse to answer questions, to refuse to give names. To illustrate (11H421):

Mr. Liebeler. That is not my question. My question is, do you know their names?
General Walker. Yes; I do but I am not telling.

And he did not. Instead, he asked to talk off the record and the printed transcript shows Liebeler honored this request.

Coincidences are part of life, but in the story of the assassination and its investigation, the statistics on their occurrence seems to have been drastically upset.

One involves Colonel Castorr. Before publishing *Whitewash: The FBI-Secret Service Cover-Up*, I telephoned his home and office without reaching him and left with his secretary the request that he return my call. He was silent.

Christmas time 1966 an old friend stopped by for a copy of that book. Several hours later he called in great excitement. It is quite a shock, he said, to have lunch with a man and then go home and read about him!

He had lunched, on business, that very day with Colonel L. Robert Castorr, whom he had known for some time, and was little short of astounded to read of him in *Whitewash II*. My friend gave the colonel his copy of the book. By New Year's Eve when they were together at a party, the colonel had read it and expressed an interest in talking to me.

"Any time, any place, at his convenience," I said, "on the record or off. I suggest that we tape-record it, for his protection."

Several times thereafter I got messages that the colonel's obligations would take him out of town for varying periods. In each case there was a suggestion we could have lunch upon his return. He and my friend discussed the book. The colonel confirmed his friendship with General Edwin A. Walker, and said, "That fellow Weisberg knows what he is talking about. But he never made the date. That, as I said in *Whitewash II*, is his affair.

It is unfortunate for a number of reasons, one of which is that people may not believe what might be true if expressed involuntarily where they might well have credited this same explanation if volunteered. Circumstances sometimes make innocent events and associations seem sinister.

As the evidence mobilized in *Whitewash: The Report on the Warren Report* so clearly suggests, it is more likely that Bullet 399 was planted on the stretcher at Parkland Hospital. Take this with that letter to the Commission that the head of the Secret Service himself wrote instead of entrusting it to his inspector, and its statement about the "political Cuban" believed still to be an employee of Parkland Hospital, which is bracketed in the letter with the there-unidentified "Colonel Castor."

Before publication of this book, I again wrote the colonel and on May 5, 1967, we met in Washington. At that time, Colonel Castor denied knowing any of the people in the story of The False Oswald. He said that on no occasion, in Dallas, Washington or elsewhere, had he been interviewed by either the FBI or the Secret Service, nor had he been questioned by or on behalf of the Warren Commission.

He added that from early December 1966, the publication date of *Whitewash II*, until that moment, no agent of the FBI or Secret Service had made any effort in any way to interview him, his wife or anyone else of whom he knows about him.

Colonel Castor said, "It is incredible and inconceivable to me that I was not contacted to give my version of the statements about me attributed to others and not checked."

The Commission had an evasion for everything. It did not explain its failure to call certain witnesses to ask the certain questions because it no longer existed before any such questions could be addressed to it. Because there was no opposing counsel, no counsel for the defense, there was no one to ask the questions, call the witnesses, demand the answers during its life.

Perhaps the most quoted of these evasions invokes the difficulty of proving a negative. To prove that something did not happen is more difficult than to prove that it did.

In the foregoing there is the kind of negative that can be proved. I have proved what the Commission did not investigate. The staff, the FBI and the Secret Service did not investigate what they knew they must; they did not carry out what they knew to be their responsibilities, as ethical federal employees and as honorable and intelligent citizens. There may be variations from case to case in why they did not. But that it was not done is without question in the stories of The False Oswald and of Oswald in New Orleans in particular. Until there is explanation that can satisfy reasonable men, each must draw his own conclusion. I do not believe that a President may be murdered with answerable

questions left unasked, with questions that are asked having no satisfactory answers, or with false answers to honest questions for his dubious epitaph.

To believe otherwise is treason to our society and its institutions.

The only conclusions that may fairly be drawn from the befuddled, suppressed, avoided, misrepresented and ignored evidence and from that not sought is that there was a connection between the strange careers of these men of unusual occupation, trainers of Cubans for the invasion of Cuba and their providers, and the assassination; between the mysterious, never-sought characters of The False Oswald and the assassination; between the events in Dallas and the preludes, including those in New Orleans.

One can only reach the conclusion that those charged with the investigation had a reason for not meeting their obligations. That reason is they knew or feared the resultant truth. In the case of this chapter, it may well be the identity of the New Orleans "Leon Oswald" with the Dallas "Leon Oswald" or that of the companions and cooperators.

It is now time to weave together the evidence already set forth with what was avoided, declined or misrepresented. The threads are loose and frayed; some lost. The looming of this fabric was never intended. But the pattern is clear.

Chapter 12

A THOUSAND MEDUSAS

The FBI was investigating itself. This is one reason it never really investigated the assassination of President Kennedy.

A frightening, post-midnight telephone call on April 4, 1967, got me out of bed wide awake because I had feared it. It reaffirmed what I had said in the introduction to *Whitewash*, that *both* the FBI and the Secret Service *were* investigating themselves. This has become the style in the early second half of the 20th century.

The federal police, who deny they are that, have grown in power and influence as they should not in a democratic society. These national police agencies are staffed by men who may be dedicated but whose backgrounds, experiences and training do not equip them to handle the awesome authority that has become theirs; who, thinking they preserve freedom, restrain, inhibit and deny it, presents a special threat to man's freedom.

What difference does dedication to principle make if it is to the wrong principle or to principles not understood? To what good is the dedication of the CIA if it frustrates the democratic process, immobilizes the President, and controls national policies outside the frame of government, outside the control of the electorate?

During his incomplete Presidency, John F. Kennedy suffered these usurpations and abridgements of his powers, as indicated above in The Bay of Pigs case. There were many others. He had more because of his policies and because the CIA assumption of control over the government was growing. In Laos, the CIA deliberately set about wrecking the accord that had been reached -- despite its efforts -- in Geneva; this is less known but perhaps in 1967 more important, for that was the beginning of the ghastly Southeast Asia situation, The CIA designed and controlled what happened, created the policies or manufactured circumstances in which the ensuing policies were inevitable. It has been the less invisible government of the government, the real creator of policy. And its policies have been wrong, ruinous.

In midwinter 1966-7, the scandals of the CIA penetration and control of youth and student groups was the then freshest of a succession of such scandals. Before quiet was restored, there were few associations untainted -- unions, scholars and their societies, liberal politicians and dozens of tax-exempt foundations. The clamor was great, the headlines black, and the solution, the placebo, unoriginal.

The CIA investigated itself. True, there were a couple of others, fronts; but it was CIA Chief Helms who ran the "investigation." Not surprisingly, the mild "reform" suggested had no meaning, did not reflect on the CIA, was without criticism of it, and in no way restrained its usurpation of powers greater than any previous intelligence agency had ever in history enjoyed, even under the most vicious dictatorships. This was not a 1967 invention; it is the repetition of 1961 history. Exactly the same thing happened after the Bay of Pigs, under Kennedy.

Kennedy differed from other Presidents in expressing something his determination to do something about it. He did not live to accomplish it.

If for no other reason than because Kennedy was slain while it was their responsibility to keep him alive, the national police should never have been assigned to investigate his assassination. No man sits in judgment on himself. Yet this is what the President's Commission assigned to the national police. Perhaps it was no more than a mistake in judgment. Perhaps it was, as the secret files of the Commission indicate is possible, an economy move. Incredible as it seems, with millions of dollars incinerating daily in Vietnam, those who were in administrative control of the investigation of this foul murder worried about spending pennies on it!

In New Orleans and elsewhere, the FBI was investigating itself. Naturally, it did not. Naturally, it eventually involved everyone of importance over it in the bureaucratic structure in lies designed to protect it. The integrity of the new Attorney General was compromised by his first official act -- his statement on Shaw after the pro forma hearing by the Senate Judiciary Committee, as I have documented in this book.

The integrity of the President was earlier compromised.

Somebody beat the living daylights out of Orest Pena on the dark streets of New Orleans the night of Monday, April 3, 1967, but did not prevent him from reporting his own personal knowledge of some of this to me. It was his telephone call that awakened me, the scheduled call that delayed my retiring and filled me with apprehension when I went to bed; but the call was made from Touro Hospital, New Orleans; he had been X-rayed. His first report was interrupted by the arrival of his doctor.

After reading *Whitewash* he wrote me on March 25, 1967. Of what I had written about which he had personal knowledge, he said, "It is true." His letter asked if I would "be interested to know something that I know about the truth about which you have written." In response to my letter, he had phoned earlier on Monday when I was not home. He and my wife arranged for him to call back 9 P.M. our time. When he did not, I worried. Too many things had happened to too many people, whether by accident or coincidence, whether or not innocently, and had befallen those who in some way represented jeopardy to the official "solution" to the crime of the assassination.

Pena knew the threats could be more than menacing words. During our second conversation, I asked him to get some information from his bartender at the Habana Bar and Lounge, Evaristo Rodriguez. Rodriguez, who speaks no English, had testified before Liebel (11H33946). There were two Mexicans in whom the FBI had expressed interest. He saw them pass the Habana in a car and in haste noted its license number but not its state of origin. In Orest's absence, Rodriguez asked Carlos Bringuier to telephone the FBI. Everybody remembered the incident. Everybody told the FBI about it and testified to it. Yet nobody was ever asked the obvious question: What was the license number? It is, typically, not in the reports and not in Liebel's questioning. The FBI, of course, had it. Now, among others who might have been these "Mexicans," are the characters of The False Oswald.

Pena told me he would ask Rodriguez but to expect no response. The bartender had received a number of warnings to keep his mouth closed. Whether or not he did and whether or not connected, he

was shot at and his assailant is still running loose. So Pena knew the possible consequences of seeking me out and telling me what the government did not want to know.

Much of what he told me was not new; but almost all of it jibed with what I already knew. Some confirmed my already held suspicions. The evasions of the federal police are again conspicuous and amateurish.

Pena had known Dave Ferrie for six years Ferrie had sought him out 12 hours before death found Ferrie. One of the two men whose addresses Ferrie sought is Sergio Arcacha Smith. My interest in Arcacha antedated the Garrison investigation. It comes originally from Secret Service files.

Pena had attended Cuban-exile group meetings with Ferrie and Arcacha. He almost begged Liebler to go into this in his testimony. Liebler declined, edging up to it and then away. When Pena started up again, Liebler deterred him, saying, "Very well, let's go into that later" (11H354) . By the time "later" arrived many other subjects had been covered, many other things were on Pena's mind, and some of what he had in mind left it. Not his anger, which is visible through the language problem and the cold type.

Liebeler never mentioned Ferrie. He never mentioned Arcacha. Pena did, unsolicitedly. Liebler asked,

... Was there an anti-Castro organization that you worked with called the Cuban Revolutionary Council?

Mr. Pena: Yes.

Mr. Liebler: That was the name of it?

Mr. Pena: And the delegate here was Sergio Arcacha. He was the boss of the organization (11H357-8).

Liebeler wanted nothing of Arcacha and changed the subject immediately, first to a question about the appearance of Pena's picture in the paper, then to when Pena had traveled to the Caribbean on vacation.

Liebeler's aversion to hearing about Sergio Arcacha Smith will have more significance when all the testimony to be adduced in the New Orleans investigations is analyzed. There is less in the files than there should be, but there is enough to have made Arcacha a subject of active interest -- not just because his associates in the Cuban Revolutionary Council and other groups accused him of misappropriating funds (Exhibit 1414). Pena would have enjoyed expounding on this because he had put his correspondence course in detective work to good use and had investigated. Arcacha, he found, did not forward the funds to the Miami headquarters, including those Pena contributed and collected. There is much more about Arcacha and his associates. It is not in the record, not in the testimony, but it is in the Commission files which were Liebeler's job to know.

The reluctance to mention Arcacha's name extended to the indexer. All those extraneous names used as figures of speeches, all the names in no way relating the assassination, are dutifully and redundantly tabulated in Volume 16. But not Arcacha. It would be easier to ascribe this to "sloppiness," the bizarre defense of the government's apologists, if the "sloppiness" were not so lopsided. He missed, too, the Cuban Revolutionary Council. Not Xavier Cugat, though, the item following the place the Cuban Revolutionary Council should have been. Cugat's connection, if any, is not mentioned in the Report. Nor is the Council's, but not for the same reason. It is just more important that Cugat be in the index than Arcacha. This is a selective, editorial index, befitting a selective inquiry. Liebeler's interrogation of Pena and others was similarly selective. Arcacha, the Cuban groups, all reference to anti-Castro -- not allegedly pro-Castro, only anti-Castro -- activity was selected out of the questioning.

For example:

Mr. Liebeler: Do you have any information or knowledge that Oswald was involved with pro-Castro people in connection with the assassination?

Mr. Pena: No; I can't tell you that.

Mr. Liebeler: Do you have any information that this was a pro-Castro or a Castro plot to assassinate President Kennedy?

Mr. Pena: No; I can't say that.

Mr. Liebeler: Do you know whether anybody else in New Orleans has any information like that?

Mr. Pena: No; I can't say that. (11H363)

One of the first things federal agents established is that Ferrie made threats, whether or not believed to be genuine against the life of the President. This was in the Commission's files. Liebler knew about Ferrie. It is Liebler who told the press of the "stack" of "Ferrie" reports. It is Liebler who did not ask Pena about Ferrie, who steered Pena away from any mention of Ferrie, in diverting him also from Arcacha, once he got into the record the most indirect reference to the Cuban Revolutionary Council so could thus not be charged with entirely ignoring it. Pena was emotional. He testified, "You see, I did like very, very much Mr. Kennedy." (11H353)

In response, Pena demanded a truth confrontation with FBI Agent Warren C. deBrueys, who he knew had questioned him, including lie-detector and any other tests. We will return to the reference to deBrueys, not the only one Liebler avoided. In avoiding Arcacha, now arrested and charged by Garrison with being part of a conspiracy, Liebler was also avoiding deBrueys.

"We got to talk about something else before I tell about the FBI in New Orleans," Pena had told Liebler (11H354).

What did Pena want Liebler to understand, what did he consider essential to his complaint against the New Orleans FBI? Pena was not afraid to talk about it and is not. He had telephoned me from the hospital that night to tell me about it. He was assaulted, in another of those "coincidences," only after he had by phone set a time for telling me what he wanted me to know. And it did not happen a month, a week, a day, or even an hour before the time set for his call. It happened just as he was on his way to phone me.

In an earlier attempt to testify on this (11H352-3), Pena explained that what the FBI was doing to him impelled him to get a lawyer.

"I don't need a lawyer about this," he told Liebler, whom he began by trusting, "you are from Washington." But he did require a lawyer, ultimately, against the FBI.

As with Arnold Louis Rowland and others, the FBI pestered, needled, annoyed, plagued and sought to intimidate Pena. So Pena got "Mr. Tamberella," whose first name was not important to Liebelser (and neither of whose names was important to the indexer, who does not mention him at all), to represent him. At this time -- 1964 -- Liebelser's 1966 interest in seeing to it that "both sides" are presented had apparently not yet possessed him: his interest in Tamberella was for trying to use him against his client, as with the dates of Pena's travels or with what Pena told the FBI. Pena said he did not recall the exact date he went from Puerto Rico to the Dominican Republic, and it was entirely without significance or relevance. But, he said, if you want to know, check with Delta Airlines, they have the records. Liebelser wanted not knowledge but a pretense that Pena's recollection was not dependable (hence, Pena was not). To pretend that Pena's own lawyer disputed the number of times Pena said the FBI interviewed him is particularly disreputable on Liebelser's part for several reasons. Liebelser said (11H353),

"I have a report before me, Mr. Pena, on an interview of you in the presence of your attorney . . . made by Mr. De Brueys (sic) and Mr. Wall. That was in the FBI office on June 9, and on page 2 of this particular report, which is page 14 of the larger report, it says and I quote: Orest Pena specifically stated he had never told anyone, including Carlos Bringuier, that Oswald had been in the Habana Bar . . ."

Where the interview occurred, what the FBI agents said was said, along with the falsely implied approval of the contents by Pena's lawyer, have nothing to do with Liebelser's shabby device to make it seem that Pena's own lawyer endorsed the false versions and of this there is no question -- of what Pena is alleged to have said. The truth is that Pena told everyone after the assassination that Oswald had been in his place. He had no reason to lie to the FBI agents and there is no reason to believe he is a liar. What is possible, if the FBI agents made an honest mistake, is that they could have confused either of two other happenings, as the testimony and other reports show. One had to do with the two Mexicans in whom others at Pena's Bar believed the FBI had an interest; the other had to do with Orest's brother, Ruperto, who was not at the bar when 'Oswald' was.

Somebody in the FBI had an obvious interest in loading their files with prejudicial information against Pena. Whether Orest is an angel or a bum has nothing to do with what was done. For example, there is File 984, which is crammed with such material. One of the item in it is the April 30, 1964, report of "Confidential Informant T-1" that Pena was about to go to Europe, including Moscow. That this was false and on the very next page proved so did not preclude its use in the report or by Liebel. From the American Express Company the FBI had Pena's entire itinerary. It did not include Moscow and did not get him any closer to the Soviet Union than Germany. In this same report is a reference to an earlier one quoting Hector Jose Garcia, of Dallas, as saying he once had heard Pena say of something he did not recall that "Castro should have been notified about that as soon as it happened." With Pena's violent and public anti-Castro beliefs and activities, this is one of the more improbable rumors presented as fact.

Knowing that the FBI's favorite New Orleans informant, "NO T-1," was wrong in saying Pena was going to Moscow (and by the time of Pena's testimony, if the government did not have a complete record of everywhere he did go, it could only have been because it was not wanted), Liebel, nonetheless, went over part of the itinerary with Pena and slipped in a little legal twist that, on the record, is poisonous: on the trip had Pena had "contact with any agents of any foreign governments?" The denial serves no purpose. The purpose was to plant the suspicion with which the denial never catches up (11H350). Halfway through the testimony, Liebel abruptly asked Pena if he knew this Garcia. Pena said he did not recall him. Whereupon Liebel quoted this report, getting the exact words on record and then not giving Pena a chance to deny it. He merely asked, "Have you had anything to do with Castro?" to which Pena replied, "No; not ever."

Now, it was well known to Liebel that Pena had a long history of reporting to the FBI everyone and everything he even suspected might be pro-Castro including improbabilities; to be sure he erred in the right direction. Liebel's motive here is transparent.

It is consistent and significant that Liebel offered not a single one of the FBI reports for the record. We have earlier discussed the suppression from the record of parts of File 984. These pages I

have just quoted are part of what was suppressed; it is the final page of this report on Pena that had the bottom of it blocked off in Xeroxing with a blank piece of paper. The blank paper and the scotch tape holding it in place are visible. The original could and should have been used, but it was not. Surely what is required for the lowest criminal in the country is not too good as evidence when the murder of a President is concerned. Had this file been introduced into evidence, had Pena been properly questioned -- indeed, had he just been encouraged to talk -- there would have been important revelations. The file that Liebler used to poison the Commission used against Pena is the file on the invasion camp. Thus, we do not have to presume, we *know* that Liebler had this file. He asked no one a single question about it. He avoided it. He allowed false testimony into the record about it when he was examining Bringuier and said nothing.

Not one of the FBI reports of interviews with Pena did Liebler put in evidence. Yet on these he disputed with Pena, whose complaint against the FBI was specific and repeated: That the FBI assisted him perhaps 15 times about the same things. It was this plaguing that caused him to get a lawyer and go to the FBI office with his complaint. To reflect all of this, Liebler said he had but two FBI reports on interrogations of Pena.

I have only two reports," he told Pena (11H364)

It is this that prompted Pena to say, "We got to talk about the FBI," which was followed by Liebler's evasion, "Let's get to that later."

Again, toward the end of the deposition, Liebler said (11H361):

"Now I have been provided with what are supposed to be all of the FBI reports about their conversations relating to the Oswald case, and as far as I can tell the only time the FBI has spoken to you about that was back in December 1963 shortly after the assassination and then again in June 1964. Just a short time ago; when they came to question you again at my request after I had -- "

In disbelief, Pena interrupted to ask, "Just those two times?"

"Yes; just twice," Liebeler replied.

Pena insisted there were many, many such questionings. These were the basis of the complaint he carried to the FBI New Orleans headquarters.

In his effort to discredit Pena, which led him into another snare, Liebeler also disclosed that it is he who directed the June 9 interrogation. If the right questions were not asked of Pena, it is because Liebeler did not tell the FBI to ask the right questions or they did not despite his instruction. In either case, Liebeler had Pena on the stand and under oath, and the possibility of any other responsibility here ceases. It is Liebeler's alone.

The December interrogation was on the fifth. It was by those agents we have already quoted, Steinmeyer and Logan. Logan is fluent in Spanish and acted as Liebeler's translator in New Orleans.

Here there is a fundamental conflict. Liebeler insists the FBI has given him every report, not only of interrogations, but of every "conversation" and Pena insists this is false. When asked if he recalled the date of the Steinmeyer-Logan interview, he said, "I have been interviewed by the FBI so many times I don't remember" (11H350).

Liebeler asked, with reference to what on the evidence must be regarded as an entirely false FBI report, that Pena said he had never seen Oswald in his bar, "When you talked to the FBI two weeks ago, did they ask you about this again?"

"Yes," Pena told him, "they asked me about this more than a dozen times."

"They asked you more than a dozen times about this?" Liebeler asked.

"Yes," Pena insisted.

Every time the question came up, Pena insisted the FBI questionings were numerous to the point of harassment.

There is the existing record that he got and went to the FBI office to protest the bedeviling (11H358).

This, it would seem, is a material point, because the entire story of Oswald is material as is that of The False Oswald. If Pena lied about this, it would seem to be perjury, punishable and of the greatest import in an investigation of the assassination of a President, particularly with the question of conspiracy so important. If the FBI agents lied, is the offense not still more serious? Why should they lie? Someone did, about what Pena said and about the number of interrogations.

But if it is the FBI Agents who lied and this is not an ephemeral thing -- are they guilty of perjury? No; they are not: They were never placed under oath. Thus the reason or the consequences of not calling them becomes clear as does consideration of their ex parte and dubious reports as the equivalent of sworn testimony.

But determination of fact and truth here is not difficult. Pena is a man in public business. The number of people with whom he spoke immediately after the assassination and to whom, as he claimed, he mentioned the earlier presence of Oswald in his establishment, must be great. There is, in fact, available corroborative testimony. In the June 9 interview, his lawyer was present. There are never the original FBI notes

These are always burned, especially in the investigation of the murder of a President, and even though, as we have seen, notes were typed belatedly. But it was not only possible, it was in this case and on both points simple to establish fact. The visits of the FBI to Pena's place after the assassination were not by stealth. It is a public place and there were witnesses. The Commission has no interest in proving the FBI lied. Instead, the FBI loaded its files with, and Liebeler subtly inserted into the record, prejudicial misinformation about Pena, whose record is as public and vocal as one would expect, with his Latin heritage.

The date of the first report in which the FBI claims Pena said Oswald was never in his bar is important. It is December 5, 1963. This is almost two weeks before the interrogation of Sylvia Odio quoted earlier, the Sylvia Odio who gave the first solid evidence on The False Oswald so meagerly indicated in this brief, two-paragraph report of it. Taken together, these are another of the too many

evidences that the FBI, like the rest of the government, did not want to interfere with its preconceptions. In turn, this is what makes more significant first the contradiction between the FBI and Pena and second, Liebel's failure to resolve it.

By the time of Liebel's July 21 interrogation of Pena, the day before he questioned Mrs. Odio, there was an abundance of complaint against the FBI, the already quoted one by Mrs. Odio, through the head of the Secret Service, being one that bears directly on this case.

There is no doubt in my mind that the false information is the FBI's. There is likewise no doubt that what Liebel kept out of the record by use of the lawyer's skills and the exercise of his control over what was testified to is also very much in point.

In the excerpt from his questioning of Pena about the two reports quoted earlier, what led Pena to begin his answer with "We got to talk about something else before I tell about the FBI in New Orleans," Liebel concluded what for him was a rather long question, taking up eight printed line, with this partisan statement: "You have a great deal of hostility toward the FBI, do you not?" (11H354)

Pena is a man who was an FBI informant. He did not have to be, but he was. He did not tell the FBI to get lost when it harassed him. He tried to cooperate, getting a lawyer to tell the FBI he would cooperate when they sought information of him but not to bother him with "silly" repetitious questionings, the standard FBI technique cited by Dean Andrews either to get a witness to change his statements or to discredit him. With Pena it did not work. He held fast. But Liebel still could not honestly state his case by pitting Pena against the entire FBI. This was contrary to what he allowed to get on the record and even more so with what kept out,

Pena's problem was Warren C. DeBrueys, not the entire FBI.

Pena has no reluctance in talking about it. He is a brave man. He told me his story voluntarily, even after a long series of threats that he would be hurt if he did not keep his mouth closed was made good. After that first call from the hospital late on the night of April 3, 1967, he reaffirmed what he said

in a longer conversation on the night of April 4 and again thereafter. He tried to tell Liebeler. As the transcript indicates, Liebeler did not want to know.

It is deBrueys who bugged Pena, not J. Edgar Hoover, not the entire FBI, and there was a reason. Here are some of the cases from the transcript, showing just how Pena tried to testify about this:

On page 352, Volume 11, referring to his reports to the FBI, "I used to call deBrueys." When he then told Liebeler, "I am going to talk to you about deBrueys," Liebeler diverted him.

On page 358, in testifying about his anger at the ceaseless harassment and his effort to stop it while still cooperating with the FBI, he said he told his lawyer, "I want to see if I can't stop this." Instead of asking for details or allowing them to flow, as words do from Pena on this subject, Liebeler changed the subject, abruptly, to when Pena was in Puerto Rico.

In what can fairly be interpreted as an effort to protect the FBI from its failure to have records of its many, too numerous, interrogations of Pena, or its suppression of them, Liebeler asked (11H361), "Have any other Federal agencies besides the FBI interviewed you?" Pena's response was that except where he knew the agents personally he did not know, that when they said they were from the FBI he assumed it was true. "We are from the Federal Bureau," he quoted them as saying. It was later he asked for names, not "until later my lawyer told me, 'Every time you talk to one of these men, get their name, where they come from.' " On the same page he repeated this instruction. Liebeler never asked him if he had a list of names. Nor did he ask what he seemed to imply, that the CIA and the Secret Service questioned Pena.

Once, apparently, Pena went to protest without his lawyer. Liebeler did not establish a clear record. Pena spoke to "deBrueys' boss -- I didn't ask them who it was. They was FBI. They was in the FBI office -- I told the agency there I don't talk to deBrueys. I don't trust him as an American" (11H362).

And on next to the last page of his testimony, where his anger boiled out and he dared Liebeler to arrange a lie detector test to see if he or Bringuier was truthful and to see whether or not, as he charged, Bringuier "don't like the United States," an understatement for what Pena said elsewhere, he said of his

lie detector test challenge, "I invited deBrueys, too, to ask deBrueys if that's true or not true he went to my place and tried to intimidate me" (11H363).

Obviously, a Presidential Commission cannot go around arranging predawn duels at 20 paces with lie detectors. But it has the obligation of not allowing perjury to remain on the record, and it certainly has the obligation of determining whether the sworn accusation that the FBI tried to intimidate a witness in the investigation is or is not true. With Warren C. deBrueys, this is a more important determination than with run-of-the-mill FBI agents, for deBrueys' movements alone, as I espoused them in *Whitewash*, require explanation. When Oswald was in New Orleans, deBrueys was at his regular station in New Orleans. When Oswald left New Orleans and was in Dallas, there also was deBrueys. And when Oswald was murdered -- deBrueys went back to New Orleans. Coincidence? Then let it be proven. It can be, either way.

Perhaps it is also a coincidence that the motion-picture film taken by a teen-age boy -- Doyle (on vacation with his family) and in the Commission File 6, was not wanted by the government. This film shows the Oswald August 9 handbill operation that established his "cover" was known to deBrueys: it was he who had assembled the file. That day on which I took Garrison's man to the Archives, I picked up the Commission's sixth file. I had never examined it before. It had been secret and was then declassified. This -- one of the larger files -- consists of a long series of FBI reports. It was filed on December 8, 1963, from Dallas, by Warren C. deBrueys under the entirely meaningless title, "Oswald." The report of the two Portland, Oregon, agents is in it, folio 444. If no one else -- not the . . . knew of this report and the motion pictures of Oswald and those with him on this operation, Warren C. deBrueys did.

One thing is certain: Warren C. deBrueys cannot remain the anonymous, faceless FBI man of mystery. The public record demands specific, definitive answers to such questions as why his assignments coincided . Oswald's movements. The *suppressed* record I will now reveal for the first time. This is only part of what Liebler kept out of the record, what he kept Pena from testifying to, what he did not want to hear or to be known.

Pena knew Dave Ferrie very well. He still calls him "Captain." He knew him from the meetings of the exile groups. This started to come out in his testimony several times (11H357, 361-2). In the testimony, reflecting his own knowledge, Liebeler asked if Pena was in the Cuban Revolutionary Council and Pena responded in the affirmative. In conversation with me, he also named the Cuban Revolutionary Front. This is how he knew Ferrie. Ferrie was always at the meetings.

They were this close: Ferrie even started to give Pena flying lessons. Mrs. Pena, whose command of English is perfect, gave me additional detail, preceding it with the assurance that, while she has some apprehension about her husband's safety (they have not been married long), she does not doubt his courage or determination. (Because of the unending threats, she has started to carry a pistol. She went to the police, registered the pistol, and assures me she knows how to use it -- and would.) Her explanation of why Pena discontinued flying lessons with Ferrie is that her husband was uneasy with him. Her recollection is quite clear: she specifies the plane they used -- a Cessna.

Let us now refer back to two pertinent things: Liebeler's interrogation of Detective O'Sullivan (8H30) and the FAA report on Ferrie's plane.

O'Sullivan was allowed to volunteer that he had checked "Ferrie's airplane" and found it "had flat tires, instruments missing, needed a paint job" and in his opinion "was not in flyable condition." Planes have identifications. They are registered and of specific manufacture. Liebeler asked for no identification of the plane O'Sullivan said he inspected as Ferrie's or proof that Ferrie had no other plane. Instead, he allowed O'Sullivan to volunteer further the hearsay that "one company in particular said that they would not rent him an airplane." Aside from one unnamed company allegedly saying it would not rent Ferrie a plane for reasons unspecified and unsought, one company is not all companies or all sources of planes. First allowing this prejudicial hearsay in the record, Liebeler abruptly sought to change the subject ("You are a detective on the vice squad?") to Ferrie's legal problems over his homosexuality, and then to delete from the testimony what O'Sullivan told him (11H31).

The FBI report on the FAA records of Ferrie's plane is dated November 29, 1963. This is prior to the first FBI interview with Pena and months before the O'Sullivan deposition, while Ferrie was being "interrogated." It says the registration in Ferrie's name is of a "Stinson 150 aircraft with serial number 108-1293." While there is no reason to believe that the plane about which O'Sullivan testified is not the plane registered to Ferrie, there is no reason to assume that there was no need to prove it when the irrefutable proof was at hand and should have at that moment, when O'Sullivan was testifying, been in Liebler's own hand. It is the evasion of the obvious that again is suspect, particularly when it is bracketed with false and misleading information, that Ferrie could not get another plane if he wanted to. There is no reference to the identification of Ferrie's plane or planes in any of the FBI reports of their interrogations of him -- including the one he wrote himself -- that are not still suppressed. This is not the kind of information that is properly subject to restriction. It is public information.

So, we now have indication that Ferrie had, or at least had available, an entirely different plane. Liebler did not ask Pena anything about Ferrie. From the existing record, Pena and Ferrie were total strangers. This record is corrupt because Liebler made it that way or, what is but little kinder, allowed it to develop that way. It is, of course, possible that Mrs. Pena's recollection is in error. It is not possible that the investigation of Ferrie, the one Liebler touted as so thorough when it was a cover-up, did not have to include a thorough check on Ferrie, his plane or planes, and his acquaintances and associates.

There exists indication Ferrie had or had available still another plane. In one of his "suicide" notes, the one to "Al," he referred to "Flying Barragona in the Beech." "Beech" is a contraction of "Beechcraft," one of the more popular makes.

Pena's contacts with Ferrie never ended. Both men were strongly anti-Castro. Ferrie visited Pena 12 hours before his death to learn the whereabouts of two men. One I have not finished checking out, so I will not mention his name; I will say that he is more than pertinent, from what Pena tells me about his business interests so identical with those of another important character in our revelations of the suppressed story of Oswald in New Orleans. The second is Sergio Arcacha Smith. Pena got Arcacha's

name into the evidence for the only time, as we have seen, by volunteering it. And as soon as he said of Arcacha, "He was the boss of the organization," Liebeler had changed the subject. (11H358)

This group met at 544 Camp Street. (We will soon have further interest in this building, for Oswald used it as a return address on some of his literature, a passing strange thing for a pretendedly independent and professedly pro-Castro propagandist to do with his literature and solicitations for membership arrange it so they could get into the hands of anti-Castro people.)

So Pena is one of the many available links between Ferrie and the anti-Castro Cuban organizations. All of this was kept out of the testimony, the testimony handled by Liebeler personally. Among the many important people not the subject of the official investigation of the assassination with whom Ferrie is thus placed in intimate association and in anti-Castro activity is Sergio Arcacha Smith, the man of whom Liebeler wanted to hear nothing, the man whose name was omitted from the index, the man never called as a witness, though "the boss of the organization"; Arcacha -- about whom the thousands of pages of printed documents in 11 very large books also say nothing, save for an early-dated and rather provocative reference in a lengthy Secret Service report that would have been just too conspicuous if only the 15 of its 24 pages had been left out. That is one of the less legible of the largely illegible pages further reduced in legibility by being reproduced side by side on a page that is smaller than the original size to begin with (26H769). Although one of the very earliest reports, in the printed evidence it is one of the very last and is buried, without logical means of locating or even discovering it, in the back end of the very last volume.

There is enormous significance in the elimination of Arcacha from the investigation and in thus avoiding all the leads that fan out from him.

There is also enormous significance in what Pena did get past Liebeler's guard in one of his long answers. Had he not begun with his mother's opinion of Castro and abruptly switched to his participation in the public activities of the Cuban Revolutionary Council ("collecting money at my place of business and giving my own money"), I really believe Liebeler would have stopped him before, in that very

paragraph and in the very next sentence, Pena managed to say, Then deBrueys (sic) came to the organization. Maybe -- I don't know if sent by the government or how, but he went to the organization" (11H361). Here, apparently, the nimble-witted Liebler decided to control what Pena got to say about deBrueys, for by the end of the few seconds it took Pena to utter these words, Liebler interrupted to ask, "He joined it?" A good question, to which Pena responded that deBrueys was not a member "but he was sticking with the organization, very very close." Liebler asked if the members knew that deBrueys was an FBI agent and Pena said it was known. (I know of two other FBI agents said to have had a similar relationship with Cuban groups. Because I cannot now reveal my source, I cannot name them.) He then explained how this was the beginning of his reporting to the FBI on those who said things he believed were pro-Castro. It is also when deBrueys started haunting Pena and the Habana Bar and Lounge.

A small part of what Pena told me that Liebler did succeed in avoiding in the record is that the meetings of the council he attended also had Ferrie *and* deBrueys present. He thus put the FBI agent of mystery in personal association with the mystery-man Ferrie -- the figure who was so protected by the FBI when it could not avoid questioning him (because on November 25, 1963, Jim Garrison forced the FBI's hand by arresting Ferrie) that it suppressed most of the reports and even allowed Ferrie to write at least one for it.

(The day the New Orleans *States-Item* printed the first story on the Garrison investigation, February 17, 1967, Ferrie phoned and spoke to reporter David Snyder. Thereafter, until he died, Ferrie stayed in touch with Snyder. Ferrie said that as indicated earlier in this book, *at the very time of the assassination*, on November 22, 1963, he was "batting the breeze" with "federal agents" at the New Orleans courthouse, where the Carlos Marcello trial was in progress. "Federal agents" were the investigators for the government in its Marcello prosecution. Ferrie was the Mafia boss's lawyer's investigator. The jury did not return until 3:20 p.m. Thus, from his own mouth if not from the "thorough" FBI investigation, we know Ferrie knew "federal agents" before they went through the fakery of

"investigating" him. It seems appropriate to ask which these agents were. If they are shy and do not come forward, perhaps the assignment of those to the Marcello trial will tell us.)

For a moment let us consider what this means -- and from what is in the newspapers only: An FBI agent was in close association with a man publicly charged with being in a conspiracy to kill the President. That is the charge pending in New Orleans at the time of this writing.

This is the same FBI agent who moved from his home base as Oswald moved, and returned to his regular FBI duties after Oswald was murdered. (It is also germane in this context considering the charge made in *Whitewash* that Oswald was killed only because the police made it possible.)

This is the same FBI agent who badgered Pena -- the man who, had he been compelled to testify under oath as he should have been, could be under the threat of a perjury indictment if it could be proved that not he, but Pena, was truthful. Mr. Hoover can accept this as another of the numerous challenges he has steadfastly ignored. Others can accept it as I do, as a measure of the government's integrity, now and during the "investigation."

This deBrueys is the same FBI agent who, through his attendance at these meetings and associations with the people involved, is possessed of a wealth of material and names (my own list is a long one) that must now be made public. One of the immediate questions this raises is with whom else was deBrueys associated? It is not material whether his association was personal or official -- one accepts that it is worse if these associations were his assigned duties and the FBI remains, in spite of this, silent. (One of the other men in regular attendance at these meetings had as a close friend another man who, Pena charges, was deported from the United States because of the nature of his activities. I have that name and do not use it only because it might be unfair to the deported man to do so. Pena's recollection is that these political activities were of a Nazi nature.)

This is also the same FBI agent who haunted Pena's establishments -- and there were three, not the single one mentioned in the testimony -- which were also patronized by others, some of whom have already been identified in this book, others of whom I know. One of these is Ricardo Davis. As soon as I

mentioned "Ricardo Davis," not Rudolph Richard Davis, Pena made immediate identification. "You mean that half-Cuban," and he gave a description he might have read from deBrueys' own report of October 2, 1964, winding up with "the insurance man."

Remember the deadpan report we quoted earlier, in which the FBI New Orleans office unquestioningly presented undisguised lies as the gospel according to Rudolph Richard Davis his "mahogany" interests in Guatemala, his innocence of the charge of appropriating the funds of the New Orleans training camp that he ran for the "Christian Democratic Movement," the supreme unctious about those misguided Cubans so offended at the thought of work when they regarded themselves as warriors, that saintly we-don't-know-anything-about-the-camp-we-raided report? Well, it was signed by this same Warren C. deBrueys and by Steinmeyer, the same Steinmeyer of the December 6 report that Pena, with everything public 100 percent on his side, claims is an entire misrepresentation of what he told the FBI.

Under "employment" in deBrueys' description of Rudolph Richard Davis, on the third page of his report of his joint "investigation" with Steinmeyer, there is listed not Davis's alleged "mahogany" interests of the first page but "General Agent, Western Life Insurance Company, St. Paul, Minnesota, 2001 Canal Street, New Orleans, Louisiana." Davis was a frequent Pena guest and, according to Orest, often in company with another man from a "prominent" Cuban family. Unaware of Davis's alleged Guatemalan "mahogany" interests, Pena, in giving me the name of this man, also offered his suspicion of a pro-Castro orientation and the definite statement that this man had mahogany interests in Guatemala. This man, whose real initials are W. M., met often with Davis at one of Pena's restaurants. The suggestion of CIA is unmistakable in this part of the story, and not from it alone.

There are two other names Pena has given me, either of which might be "NO T-1," of whom Pena knows nothing, or who might both have this special FBI variety of FBI "war name." I am going by his description of them and their employment, and on their access to him and to some of what they are quoted as having reported.

There is no end to the inquiry that roots in deBrueys and at some point will have to be conducted. As it branches out, there will be all sorts of associations and involvements. Just imagine what can grow from the Ferrie branch alone. Or from Arcacha, who branches back to Ferrie several ways, including through the heisting of explosives from Houma, Louisiana, that Garrison charges to them and another mysterious figure, the electronics (read bugging and counter-bugging) expert, Gordon Novel. Novel was also arrested after flight, as we shall see. He acknowledges a legal relationship with Dean Andrews and unspecified ones with Ferrie, and with Clay Shaw.

(In a separate operation, Ferrie also managed to arrange the theft of what one witness who, for the moment, must remain anonymous describes as "a rather substantial" quantity of assorted arms. These were doled out to representatives of the exile groups who carted them back to Miami. These were weapons, including such exclusively military items -- available only from military sources -- as grenades, not just explosives.)

Thus we have(?)

Here in one of the reasons Hoover regards his agents as hothouse plants, and shelters them from publicity as much as possible. Need we wonder why so few of those who were responsible for the more than 25,000 interviews totaling 25,400 pages in 2,300 reports, the statistical glory of the Bureau and the Commission, ever surfaced, even in complete secrecy but on the record and under oath were asked not a single question?

The government dared not. Had deBrueys given testimony, there could be an immediate demand for a grand jury determination of whether perjury was committed. Actually, the FBI was so delicate, so sensitive and tactful, that not one of those very few exercises in futility and deception -- the reports on the "investigation" of Dave Ferrie -- is signed by deBrueys. But if the FBI really had wanted to investigate Ferrie, who was better qualified than the man who knew him, the man who from personal experience knew of some of his activities, interests and connections? Unless, of course, Ferrie could also tango, and knew of the activities, interests and connections of deBrueys.

No, Hoover cannot afford for deBrueys to become a witness, nor, judging from Pena's information, could he dare question Ferrie too closely. Those reports that are now available do not disclose the connection between Ferrie and the FBI, Ferrie and Arcacha and all the others at these meetings, the homosexuals and bitter Cubans and their various fractionated organizations and their mentors (abbreviation, "CIA"). There is nothing in these flimsies on bond paper to indicate Ferrie's connections with the Cuban groups, yet the FBI knew of them.

How can the FBI justify this suppression? Are there innocent people whose reputations might be damaged, like deBrueys and Hoover? Is it sources of information it seeks to shelter -- stool pigeons? Like, perhaps, Ferrie or others of his political constituencies or male *harems*?

Only the truth and the solution of the crime of assassination -- the national honor suffers for it.

Can we now better understand the character of the Pena interrogations? If there is any question about this, I have a 1965 letter from Hoover -- elicited by someone else working in this field saying just this, that the reports would not be available to public examination. So these FBI reports, secret by intent and expectation, could be axe-jobs on Pena. Can we better understand:

Why there was no show-down on the number of FBI questionings of Pena?

Why the FBI assured Liebler there were only two reports?

Why Liebler had no report confirming Pena's reiterated complaint to deBrueys' superiors in the New Orleans FBI office?

Why Liebler sought none?

Why he did not put the two he had into evidence?

Why Ferry was never called as a witness?

Why there is so little reference to him and that aborted?

Why there were no witnesses called from any of these Cuban exile groups save the unavoidable Bringuier who so fortuitously provided Oswald with an intelligence cover but who was never confronted with Pena's open accusation of his secret hatred of the United States?

Why their many names are not mentioned?

Why there is nothing in the testimony save again what little, too little, Bringuier blurted out about that invasion training camp -- not even the newspaper accounts of the FBI raid the very same FBI office that is involved, out of which deBrueys and Steinmeyer and the others work?

Why the FBI and Secret Service were so hot after anyone who mentioned Ferrie's name and permitted Ferrie to direct what is insultingly described as an "investigation" of him?

Why there had to be a "clean bill of health?"

Why there are all those daring big gaps in all the reports of both the FBI and the Secret Service (more of which we have yet to examine)?

Why the honor, public reputation and good faith of the new Attorney General and so many others of lesser rank were so immediately vested in the rally around Shaw, the FBI, the files and the Commission and its work?

Why every federal official who dared intrude himself into the Garrison/New Orleans investigation and in whatever ways he found expedient slurred its director and questioned its motive?

Why there was never any real Ferrie or Shaw-Bertrand investigation?
"Why" without end because every question is a thousand Medusas?

Chapter 13 SEEK (NOTHING) AND YE SHALL FIND (NOTHING)

Writhing and hissing amidst the New Orleans Medusas is a single snake no one dares slash. Through all its weaving and slithering, it remains shaped like a question mark, like a strike-ready cobra. The rising volume of the fearsome hisses doubles with every cut, as the address of one question produces not fewer than two new ones without killing the old; but that sibilance does not smother that shrillest of all: Oswald's pro-Castro literature with the return address of the building that housed the bitterly anti-Castro Cuban Revolutionary Council and the Banister detective agency.

Whether or not it makes sense, it happened. Whether or not it was malicious, it could have but one result: To expose anyone who responded to the opposing and, as Andrews so *eloquently* described it, violent side. Any such mail, after the exiles left the building (and they kept returning to use the unpaid-for office, and had other connections as well) could reach only the exiles. There is not tender mercy. How sincerely pro-Castro was the Lee Harvey Oswald who would expose those he solicited to the "enemy"?

The Secret Service and the FBI asked themselves why Oswald would do a thing like this. The Commission did not. Those consulted, those who arranged it, and those who rented the office, were not called as witnesses. The FBI and the Secret Service found no answers or, if they did, were silent. But they did not really look.

The investigation by Secret Service Agents Anthony E. Gerrets and Roger D. Counts for the first five days of December 1963 is summarized:

Extensive investigation conducted thus far has failed to establish that the "FAIR PLAY FOR CUBA COMMITTEE" had offices at 544 Camp Street, New Orleans. It has likewise been impossible to find anyone who recalls ever seeing Lee Harvey Oswald at this address.

Gerrets and Counts did not try hard. Had they, as anyone knowledgeable in police or Cuban-refugee affairs could have told them, they would not have had to look further than other tenants, the Guy Banister detective agency. Fact is, they had already interviewed witnesses who would have so told them had the Secret Service but asked, and may have told them, unasked. The Jack S. Martin so violently assaulted in the earlier quoted reports and David W. Lewis were both Banister employees. Both have since said in public what the Secret Service did not even ask them about in private.

There was nothing secret about Banister's interests and activities. There is no dispute about his connections with the exile groups. He was too old for the jolly anti-Castro buccaneer role in which he cast himself, but he tried to play the part. Ferrie and many of the other characters in this story were often seen in his quarters. (Only because there was no investigation did the government fail to uncover what was known to be there -- and known to every kind of federal police, who were themselves involved.) Not only did *they* keep an eye on such CIA directed and financed operations, but Banister was a former G-man.

His FBI career included participation in some of the more sensational cases, the Dillinger and Touhey spectaculars, in particular. After his retirement, he joined the New Orleans police from which, in 1957, when he was No. 3 man, he was heaved into a second and involuntary retirement because of charges he was "openly defiant" of his superiors following a gun throwing incident in a Bourbon Street bar. He died of a heart attack in June 1964.

The wily Banister was a professional anti-Communist. He saw Reds everywhere and in everything. He was available to speak on the subject, armed with the dubious proceedings of the various federal and state legislative committees. He was especially fond of citing the opinions of the House Un-American Activities Committee, whose first chairman, Martin Dies, is a current darling of the John Birch "American Opinion" and whose successor, J. Parnell Thomas, went to jail from Congress.

Banister served as "special adviser" to the Louisiana American Legion's so called "Committee on Un-American Activities," where his virulent racism was no disqualification. At that time the chairman of this committee was Festus Brown. Banister rendered similar "services" to other organizations.

Numerous witnesses are still alive who will testify in Garrison's investigation that Banister was CIA, that he was involved in clandestine U.S. operation in Latin America during the time he ran his "detective" agency, and that his was an extreme position on the race question, should that be pertinent in the testimony. Banister helps to place the CIA in perspective.

His own intimates of the radical right considered him fanatical on these two subjects which in his mind were identified with each other, race and what he called "Communism."

One of Banister's men bluntly told the Associated Press on February 19, 1967, that he had not been asked about Oswald and these activities. Not the least significant is his admission that he did know Oswald in 1963. But neither he nor Jack Martin was called to testify, nor is there a single substantive interrogation report on them -- merely the slanders on Martin, already quoted. The government chose to clobber Martin to save Ferrie and could not thereafter -- had it so desired -- use him as a credited source. It did not want to tie Oswald to these groups, anyway.

The Ferrie-Banister relationship, according to Haynes Johnson of the Washington Star -- a competent reporter and a Pulitzer Prize winner -- was "close": his sources confirm to him that Dave Ferrie and anti-Castro Cubans met with Banister in his offices. And Johnson's refugee sources, which helped him with his book, *The Bay of Pigs*, are the best.

Banister's name appears nowhere in the Report or the testimony. But this is not because the federal police did not know or did not speak to Banister. I have three related reports by FBI Agent Ernest C. Wall, Jr., -- deBrueys' companion in his Pena interview, -- all dated November 25, 1963. They are models, were exceedingly helpful to the FBI and the Commission, and, I think, will be helpful to me. They are quite revealing.

If this enterprising agent does not have a nickname, I recommend "On-the-Ball Wall." It is apparent to me that this unsung hero 'way down in sinful New Orleans early set the pattern, style and philosophy of the investigation.

"On-the-Ball Wall" is the soul of brevity. He is a real whiz bang at conducting whirlwind investigations. I wish there were some way of knowing how many he initiated and completed that single Monday in November. I have only these three.

Two of them are folios 682 and 683 of the second part of File 75. I am a slow reader. Counting the time required to turn the pages, I can read both reports in 26 seconds. The first of these reports is less than six short typewritten lines long. It contains exactly 47 words. The second is nine lines, 85 words. And what there is -- says nothing.

Because neither report is really about Banister, let us here take them both in its entirety, the first quotes the then head of the Cuban Revolutionary Council, Frank Bartes, as confirming that his is an anti-Castro organization once headed by Sergio Arcacha Smith. Wall's style can be improved upon, thus his output, a reading the whole report shows:

FRANK BARTES, 1608 Mason Smith Avenue, Metairie, Louisiana, delegate to the Cuban Revolutionary Council in New, Orleans, Louisiana, advised that SERGIO ARCACHA SMITH was formerly the delegate for the Cuban Revolutionary Council in New Orleans, Louisiana. BARTES stated that the Cuban Revolutionary Council is an anti-Castro organization.

The second one quotes Guy Banister in the same sense about Arcacha with these additions: It gives the address of Arcacha's office and says that from time to time Banister saw a young Cuban with him. Banister was a little less direct. He did not say whether or not he knew all this of his own knowledge, but he did say that Arcacha (Smith to Wall) "some time ago, had told him on one occasion that he, SMITH, had an office in the building located at 544 Camp Street."

This entire report reads:

GUY BANNISTER, Guy Banister Associates, Inc., 531 Lafayette Street, New Orleans, was telephonically contacted on November 25, 1963 and advised that SERGIO ARCACHA SMITH of the Cuban Revolutionary Council, who was the head of that organization in New Orleans, Louisiana, some time ago, had told him on one occasion that he, SMITH, had an office in the building located at 544 Camp Street. Mr. BANISTER stated that he had seen a young Cuban man with SMITH on a number of occasions in the vicinity of 544 Camp Street, but could not recall the name of this young man.

We will examine the excess of Banister's self-effacement.

There is a subtlety here that is a credit to the FBI when its real objectives in the investigation of the murder of the President are properly weighed. The "Banister" report gives his address: 631 Lafayette Street. This is a special FBI code. Without doubt, its use was and for years in the future will, to a degree, be successful. When you unscramble the code, and it takes thousands of painful, unpleasant hours before you can hope to begin, and you translate from that special FBI language, this report can be rewritten with a considerable increase in efficiency and informativeness:

Guy Banister says that "Sergio Arcacha Smith, formerly head of the Cuban Revolutionary Council and who on a number of occasions I saw young Cuban, has his office on the other side of *the same building in which mine is*.

There now, isn't that more efficient and much more informative? Not as much as it could be, but more so than in Wall's prose. Is it not worth knowing that these two jolly gents were not nearly so formal and distant as that cold Wall made them seem? They had their offices in a single building that is on a corner, Lafayette and Camp Streets, New Orleans. Banister, let me assure you, need not have been told that Arcacha's office was in the same building. He got it for Arcacha, modest man! They were really

quite close and spent considerable time visiting back and forth. Had Wall not carried his passion for statistics and brevity to an otherwise commendable bureaucratic extreme, he might have listed a few names and events of interest. And he could have said so much more about Banister, Arcacha and their associates and mutuality of interests.

Nonetheless, aside from this subtle revelation of the grimness and determination of the FBI -- how it decided right off the bat it was going to solve the crime of the century as no other comparable crime had ever been solved (if, indeed, approached) -- Wall is wonderfully informative, negatively and positively, especially negatively. What he does not say tells so much about the FBI and its "investigation."

He opens with "GUY BANISTER, Guy Banister Associates, Inc." Now, this tells us that the FBI, former employer of Banister, does not want those who read their report to know that: a) Banister is a former FBI man who, b), has a detective agency that, c), was in the same building as the Cuban Revolutionary Council which, d), was still in existence November 25, 1963, and with which, e), Banister had and has the closest and most cordial relations and, f) a great bond of sympathy and, g), mutuality of aims. It also shows that Banister was sensitive and did not forget old friends, for by November 1963 Arcacha was what in a different culture would be considered "under a cloud." In blunt language, he could have told Wall that, after being thought dishonest by his associates and canned for it, Arcacha was no longer in New Orleans.

There is a revelation of FBI tact and delicacy in Wall's specification that he "telephonically contacted" Banister. From this all those were reassured who might otherwise have been apprehensive upon reading his report (NO 89-69). If Banister had not ditched that cache of arms rumored to be stored in his offices en route to anti-Castro hands in Cuba, well, Wall did not just blunder in on them, did he? And there would be no future embarrassment from knowing who, three days after the assassination and a single one after the murder of that former New Orleans boy, Oswald, was in Banister's office.

These are the more obvious things. Now let us think about some less obvious: (a) Wall associated Sergio Arcacha Smith with the assassination 1) either in Arcacha's own right or 2) because of a link with Oswald or 3) with others (here a little less brevity would have guided us further); so (b) he immediately thought of getting in touch with two men he knew or knew of, 1) Frank Bartes, then head of the Cuban Revolutionary Council and 2) Guy Banister, who knew as much about these matters as anyone, being so deeply involved in them himself.

There are, however, a number of prominent omissions: We have to guess why Wall was interested in Arcacha and the Cuban Revolutionary Council in the first place, and why he neglected to get Arcacha's address (which from other sources we know was not in New Orleans). And is it because Wall's interest was in Arcacha that his reports say nothing except the requisite about the Cuban Revolutionary Council, that it was anti-Castro -- "safely" anti-Castro?

Wall was otherwise busy that day. He and Lawrence F. Folse filed a two-page report of their interview with Sam Mike Newman. They describe him as "owner of the office building located at 544 Camp Street." For some reason, perhaps so Wall can be consistent, the agents fail to give is Lafayette Street address. And just as there were intriguing mysteries about the shorter reports, such as why Banister made a point of the fact that a young Cuban often accompanied Arcacha without giving the slightest description of him other than sex (presumably), so from Newman, as purveyed by Wall and Folse, we find excitement.

Eight to nine months earlier, which would be just before Oswald moved to New Orleans, Newman rented an office to "several Cubans, name unknown, who were with the Cuban Revolutionary Association." We next have an interesting clue to the fidelity of the Banister report, also written by Wall: "Mr. NEWMAN said he had seen these Cubans previously around the office of Guy Banister Associates, but he did not know their names." (Didn't Banister?) "Mr. NEWMAN stated he believes one of these individuals was SERGIO ARCACHA SMITH who at that time appeared to be the head of the organization . . ."

Three reports on Arcacha in a single day by a single agent (and we do not know what else he and other agents did and sought that single day!). And no reason given!

Next, Newman disclosed his and the Cuban Revolutionary Council's business methods: he rented them the space without money; they would pay him with the *possible* income from a *planned* fund-raising drive. Let's liberate Cuba with an office! They kept the office "for approximately three or four months," which would mean until *after* Oswald got to New Orleans, and paid nothing. Newman never put them out; if he has records they are not quoted (he is not sure which office they had), and he really does not know when they moved out but he also does, in a way, because "approximately 1½ months after they moved from the premises he received a check for \$100 from a Mr. Grimaldi" (who is really Carlos Grimader).

Again, excitement: "A photograph of LEE HARVEY OSWALD was exhibited to Mr. NEWMAN at which time he advised that to the best of his knowledge he had no recollection of seeing OSWALD in or around the building . . ."

Now, if that cat Oswald was all pro-Castro heart, why should the FBI the day after his murder and three days after the assassination be asking the owner of the building that housed the Cuban Revolutionary Council (which you can be sure was au anti-Castro) if he had seen Oswald?

Too bad Wall did not think of asking Banister to look at an Oswald picture. But he couldn't over the phone, could he? Too bad. We can't make up for that now; Banister is dead.

Newman did not rent space to any "Fair Play for Cuba Committee."

There is still provocative intelligence that just pours from Newman:

. . . not more than two or three months ago a man telephonically contacted him wanting to rent an office in the building and at the time furnished his name and the name of the organization he represented but Mr. NEWMAN was unable to recall either name.

Now, why should Newman think the FBI was interested in a no-name and a no-organization, especially when "he is certain the name of the organization had nothing to do with Cuba"? This man wanted the office for night meetings and all he wanted for furniture "was a desk and about 15 chairs." (If there had been any connection, they need not again expect chairs from Orest Pena. He has taken his six back for keeps, he told me.) Mr. Newman is next quoted as saying "he had no further contact with this unknown individual."

Newman or the FBI fell down here, because by this time Newman had learned his lesson. He had the deposit of a month's rent. Eventually Wall solved the problem of a receipt for a rent deposit but no name. We will save that for the end, as he did.

Between remembering and forgetting, according to the report, Newman told of "a tall thin man, about 38 years of age, with dark hair," who had, "about nine or ten months ago" approached Newman and "arranged for the rental of office space" in this building. Now, by the Newman calendar this solicitation of office space was a month earlier than his rental to the Cuban Revolutionary Council. "This man told him that he worked as an electrician by day and desired to teach Spanish at night." A week later this man returned to tell Newman to keep the deposit, "he had been unable to get enough students to enroll" to justify it. Again, that strange way of doing business, in this case paying for office space you do not need. But just suppose this man had a temporary office in the building that bore Oswald's false address, 544 Camp Street, at the time Oswald gave out literature and got replies? Suppose Newman or Wall's reporting of Newman had the wrong time?

Wall winds this one up by saying that Newman would endeavor to locate a record of this individual's name and if successful he would furnish the name of this individual to the FBI. It is a pretty safe guess that if the inquiry had been from Internal Revenue rather than the FBI, Newman would have had a set of books to consult.

Unless we assume that Newman was just running off at the mouth and the FBI did not know what it was doing, there must be some meaning to this, perhaps one that taxes my facility in their special language.

But if we were to rearrange what Wall and Folse say Newman said and if we assume that he responded to their questions, they asked him if he could connect Oswald with the Cuban Revolutionary Council or Arcacha. Newman did not know Oswald but he did know there was a connection between these Cubans and Banister, a connection that by inference had something to do with his unbusinesslike arrangement with them, with his failure to bounce them when they did not pay the first cent of rent, and that prompted his vagueness or that of the FBI reporters.

With a rental agreement and a set of books to keep, Newman could have supplied the exact time of rental, if nothing else. If the FBI did not have it, the presumption is they did not want it.

No matter how closely and carefully you study the federal reports or the alleged "investigation" of Oswald's use of a return address that would automatically direct responses to the virulently anti-Castro side, you will not learn -- not even have reason to suspect that Newman turned *his records over to federal agents, who never returned them!*

In Newman's mind, whatever the FBI asked him was connected with the inquiry a month and a half earlier, or roughly about the time Oswald left New Orleans, and with the Spanish-speaking electrician of a month before the rental to the Cuban Revolutionary Council, according to the FBI representation of what he said.

All of this whirlwind "investigation" by Wall alone and jointly with Folse shows that the FBI immediately connected Oswald, the Cuban Revolutionary Council and Guy Banister and or his detective agency that it never identified as a detective agency and run by a former FBI agent. How could people in Washington know that Banister had a detective agency, that its Lafayette Street address is identical with the Camp Street address of the Cuban Revolutionary Council? How could they understand the hints in what Newman said or, to be more precise, in the Wall representation of what Newman said, and why in

connection with the assassination, were all these things and Sergio Arcacha Smith and Oswald linked? I do not think most people in Washington could. The Gerrets-Counts-Secret Service report of December 9 includes an account of Gerrets' December 2 interview with Newman. By this time Newman knew that the Cuban Revolutionary Council had rented Room 6 from October 1961 through February 1962, vastly different from what Wall reported. In it there is this interesting line reminiscent of Banister's reference to a young Cuban he had seen with Arcacha: "Newman stated that Sergio Arcacha Smith and Carlos Quiroga were connected with the 'C R C.'" Quiroga gets around. And Newman knew Cubans by name.

Gerrets, too, showed Newman a photograph of Oswald. Newman said he had no recollection of ever seeing Oswald.

A short while after the Cuban Revolutionary Council moved out, Newman "saw a young white man unlocking the door to the office formerly occupied by the 'CUBAN REVOLUTIONARY COUNCIL.' He said he asked this fellow what he was doing and he remarked that he was taking over the office, whereupon Mr. Newman told him that the office had been closed and that the 'CUBAN REVOLUTIONARY COUNCIL' no longer had office space in the Newman Building and that he would have to leave." The description Newman gave is "White; male; 22/24; 5-9½; 185 lbs.; fair complexion; light brown or blond hair; spoke with a Spanish accent."

(The Secret Service has another, earlier, version of this incident, also by Gerrets. It is included in the December 3 report he and Vial and Counts made jointly. In it Gerrets is disclosed to have been in touch with Newman November 23 and on that occasion to have been told that this stranger "had *moved into* the space in the building vacated by the Cubans without notifying him." The description of the man is roughly the same, including his Spanish accent. Newman is quoted as saying he told this man "he would have to vacate at once." From this report, on the first interview with Newman not mentioned in the report of the subsequent one, it would seem that this man had actually moved in and was using the office.)

There is a quotation from the 1962 New Orleans directory giving Arcacha's address as 4523 Deplessis Street which Gerrets points out is "a housing development known as 'Parkchester Apartments.'" That is exactly the same apartment development in which Rudolph Richard Davis, the "mahogany" man with the training camp, lived.

In this report there is more on the connection of Arcacha and the Cuban Revolutionary Council with Banister. Newman told Gerrets that

“one Jack S. Martin, who lives at the corner of Esplanade Ave. and N. Prieur St, had brought Sergio Arcacha and Carlos Quiroga to him and recommended them to him as prospective tenants. He said that Martin had also brought them to Mayor Victor Schiro, New Orleans and had helped them to get a charter or permit to operate in New Orleans. He said that on one occasion Quiroga appeared to have a short wave radio transmitter which he was trying to repair,”

Martin, of course, was Banister's employee.

The truth, according to Newman, is that "Guy Banister talked me into letting them move in." (Banister personally was no blessing as a tenant. He died owing eight months' rent.)

Newman had no idea why the address of his building appeared on Oswald's literature. The Secret Service asked him, but they were asking the wrong man. The account of the two other prospects given by Gerrets is as much in dispute with Wall's as the date of the Cuban Revolutionary Council rental.

“Someone phoned him *three or four months ago* and wanted to rent offices for night meetings and wanted to make an appointment to meet him. He said nothing transpired . . . He also stated that about *four or five months ago* another fellow -- (white male; about 37-8, 5'11" medium build; *light olive complexion*; dark eyes; dark brown hair) came to see him about renting an office he wanted to use for night classes in Spanish.

The rest of the story is the same.

It seems to have escaped the Secret Service that this time closely coincides with the beginning of the Oswald propaganda venture and his distribution of literature with the 544 Camp Street return address. And it apparently escaped everybody that Banister and his Cubans were and remained in that building.

How little they are alike, with the difference of a year or more in the period of the Cuban Revolutionary Council rental space, and by virtue of the editing by the FBI of the connection to the Cuban Revolutionary Council of Banister and his employee, of the services rendered by Banister. There are tremendous differences, in what is said of the same thing and in what is omitted when it should have been stated. Neither agency said what it knew and could have said -- and certainly should have.

Now, these are the reports used by the Commission as the equivalent of the sworn testimony of its witnesses. This exposes the soul, if not the heart of the investigation, for the Commission had and wanted no investigators of its own. It used these same FBI and Secret Service investigators to make its investigation. Is it reasonable to presume the FBI was less selective in what it on other occasions reported to the Commission than Wall and Folse were in their Newman report? Is it reasonable to presume that on all other occasions the FBI did not continue to just leave out what it did not like? That it did not evade and deceive on other occasions also? There are countless cases where the FBI was wrong but the Commission believed it in preference to anything or anyone else, including pictures.

How much closer can the federal police get to complete irresponsibility and undependability? And if this is their standard when a President is murdered, what can we expect of them in ordinary crimes?

The Secret Service is no better. Remember its abandoned assault on Jack Martin? The Anthony Gerrets who signed it on December 13, 1963, is the same Anthony Gerrets who knew Martin's connection with Banister and the Cuban Revolutionary Council on December 2. There is no reason to presume he did not know of Ferrie's relations with Banister. If he did not know of Ferrie's with Arcacha and of deBrueys' with everybody, he conducted no investigation, spoke to no Cubans, lives in a different city and in a different world.

In this case the investigators had not a writer but a Commission going over their work, and not only part of it, but all of it. There were the lawyers of established competence, including a former police commissioner of the City of New York, all under a former solicitor general of the United States. The one thing that cannot explain any of this is incompetence. If "sloppiness" were the acceptable apology those who seek to defend this fraudulent Report claim, there is nothing sacred or honorable or decent in our society. This is not sloppiness, not incompetence. It is a whitewash.

We have not exhausted the information that escaped elimination in its gathering and suppression in Commission file cabinets.

There is the report that Arcacha might be wanted on a "Dyer Act" charge (the Act concerns stolen automobiles) offered by his former associate, Ronny Caire, who has an advertising agency. If this is false, where is that famous "protection of the innocent" standard? If it is true, where is that fabled efficiency of the FBI?

This report concludes with two paragraphs on Oswald and that address, 544 Camp Street. Special Agent in Charge of the Secret Service New Orleans Office Rice asked FBI Agent Paul Alker "as to the results of any investigation" which they may have conducted (didn't the Secret Service know what the FBI was doing to investigate the assassination, and vice versa?) in an attempt to connect Lee Harvey Oswald and the 'FAIR PLAY FOR CUBA COMMITTEE' with the address 544 Camp Street, New Orleans. SA Alker advised that they had checked this angle out thoroughly but with negative results."

It will take the production of many reports of the interrogations of dozens of witnesses who from the available record were entirely ignored before this statement can be regarded with anything but cynicism and the utmost suspicion.

The Secret Service's final word is more modest. It is captioned, "Undeveloped Leads," and reads,

The overall investigation with reference to Lee Harvey Oswald is being continued at New Orleans and in the event any information is developed which would place him at 544 Camp St., New Orleans, it will be the subject of another report.

The difference is semantic. The FBI said it had washed its hands and the Secret Service washed its hands without so saying.

The synopsis with which this report began is less modest. "Extensive investigation conducted," the very first words, tell a lie. How can any investigation from the internal evidence of this report alone, be said to have been conducted without interrogation of Quiroga and Martin and their associates, without any reference to Banister, with no one from the Cuban Revolutionary Council, Arcacha or any one else, interviewed; with those leads from Newman untouched -- with no real witness outside Newman mentioned? It was not even a decent pretense of an investigation or an intelligent sham of reporting. One small example is what could have been learned from Newman, or what was suppressed from the report if it was learned, that he had seen Arcacha, Quiroga, Martin and Ferrie together in Banister's office and all of them in Mancuso's cafe in the street-floor corner of the building, next to Banister's office. (Mancuso declines to talk to me.) How could they ask and credit Martin about Oswald if they were going to have to clobber him over Ferrie? And how could they speak to and record the others without pulling the plug?

The joint report of Agents Adrian G. Vial, Anthony E. Gerrets and Roger D. Counts, filed December 3, 1963, and covering their investigation from November 22 through December 2, has been quoted earlier. It is a compendium of political ignorance, bias and stupidities directed at minor political deviates, civil rights workers and pacifists. There are 24 single-spaced typewritten pages that also demonstrate how frivolously the government invokes the rights of the innocent as a guise for suppression of evidence. It assassinates character right and left. But it also has a little -- very little -- information about some of the exiles and their organizations.

The report is a massive, misguided, and in part illegible, collection of both the necessities and the trivialities that occupy the limited bureaucratic investigative mind that is the prisoner of its own political ignorance and prejudice.

From one Carlos Grimader the Secret Service got the names of those men entitled to sign checks for the "Crusade to Free Cuba Committee" (which might better have been called "The Crusade to Fill Sergio Arcacha's Pockets") and the Cuban Revolutionary Council. These are Arnesto Rodriguez, Sr., and Jr., Luis Ravel, Joaquin Villodas, Manuel Gil and Sergio Arcacha Smith. The comment following the name of Arnesto Rodriguez, Jr., might have interested agents whose bonnets were not buzzing with imaginary red bees. It reads, "alleged owner of Berlitz School," and It is a kind of a clue.

Arnesto Rodriguez, Sr., was 72 years old when he was interviewed by Gerrets on December 1 (Exhibit 1414). He emigrated to New Orleans as a young man, got an education, including two years of business college, and returned to Havana, where he established himself in the wholesale electrical business. In 1960 his considerable holdings -- business, bank accounts, real estate and other -- were confiscated. He returned to New Orleans. The elder Rodriguez provided Gerrets with misdirected conjecture mixed with propaganda and some information about his associates, not including his son, Arnesto, Jr.:

Mr. Rodriguez, Sr. stated that Sergio Arcacha Smith, mentioned on Page 15 of SA Vial's report of 12/3/63, was formerly the New Orleans delegate of the Cuban Revolutionary Council, with offices at 544 Camp Street, Room #6, second floor, New Orleans, La. He said that Arcacha was "fired" from his position as New Orleans delegate to the "C R C" by the organization's main office in Miami because practically all Cubans in New Orleans were against Arcacha and his activities -- not because he was cooperating with Castro but because of his dishonesty. According to Mr. Rodriguez, Arcacha was misappropriating the organization's funds. Mr. Rodriguez was of the opinion that Arcacha may possibly be now in Miami but not at all certain as to this.

Mr. Rodriguez, Sr., stated that Carlos Quiroga, mentioned on Pages 14 and 20 of SA Vial's report of 12/3/63 knew Arcacha well and was with him frequently (very close connection) at 544 Camp Street. Mr. Rodriguez did not know what happened to Quiroga's connection with Arcacha after the latter was fired

Mr. Rodriguez stated that Arcacha made frequent visits to the office of Ronny Caire, then located at 705 Cagali Bldg. . ., New Orleans. He said Ronny Caire was the principal organizer of the organization known as "CRUSADE TO FREE CUBA COMMITTEE," with headquarters at Ronny Caire's office and *not* at 544 Camp Street. He said that Ronny Caire had prevailed upon Arcacha to join or become a part of the "CRUSADE TO FREE CUBA COMMITTEE" and that Arcacha was connected with the "CRUSADE" even after he was fired as New Orleans delegate to the "CUBAN REVOLUTIONARY COUNCIL," against the opinion of the Cubans.

According to Mr. Rodriguez, Sr., Carlos Quiroga was *not* an actual member of either the "CRUSADE TO FREE CUBA" or the "CUBAN REVOLUTIONARY COUNCIL" but participated in meetings held for the purpose of promoting unity among or between the several local anti-Castro organizations such as the "CUBAN REVOLUTIONARY COUNCIL" and the "STUDENTS' REVOLUTIONARY DIRECTORATE."

Mr. Rodriguez, Sr., stated that the: "CRUSADE TO FREE CUBA COMMITTEE" was founded primarily to raise funds with which to buy arms and supplies for use by the "CUBAN REVOLUTIONARY COUNCIL" and that the "CRUSADE" had no actual revolutionary activities of any kind against Castro. He added that the "CRUSADE" was, however, definitely opposed to Castro and would offer cooperation in the overthrow of Castro.

Mr. Rodriguez, Sr., stated that Ronny Caire had a quantity of pamphlets or circulars printed, which he had distributed by hand soliciting funds for the "CRUSADE TO FREE CUBA COMMITTEE." According to Mr. Rodriguez, Ronny Calre showed that contributions were to be sent either to 544 Camp Street or to the Post Office box of Sergio Arcacha . . .

He said that he had no idea why (Oswald) was using the address of 544 Camp Street, New Orleans, former address of the "CUBAN REVOLUTIONARY COUNCIL," an anti-Castro organization . . .

Manuel Gil could have been much more informative. He had connections Gerrets did not here
note:

On 12/1/63 interviewed Mr. Manuel Gil, . . . mentioned on page 15 of SA Vial's report of 12/3/63. Mr. Gil stated that he did not know Oswald personally and had never seen him. He said he had seen photos of Oswald on television and in newspapers since President Kennedy's assassination.

Mr. Gil stated that he has been a member of the "CUBAN REVOLUTIONARY COUNCIL" for about the past two years. He said that this organization formerly had offices at 544 Camp St, 2nd floor, for about six months during 1961-62; that Sergio Arcacha Smith has been the New Orleans delegate to the "C R C." He said that Luis Ravel, Arnesto N. Rodriguez, Sr., Arnesto N. Rodriguez, Jr., Sergio Arcacha Smith, and himself were authorized to sign checks In behalf of the "C R C," as was Carlos J. Grimader, CPA . . .

Manuel Gil stated that he is presently employed as Production Manager by "THE INFORMATION COUNCIL OF THE AMERICAS," explaining that he makes tape recordings of information received from refugees from Communist countries, which recordings are broadcast in Latin American countries. He indicated that some of these recordings are also used in some Louisiana schools. "THE INFORMATION COUNCIL OF THE AMERICAS, INC." has offices at 620 Gravier Street, New Orleans -- Telephone: 523-3614.

Next in the report is Arcacha's successor:

On 12/2/63 interviewed Mr. Luis Ravel, 4651 Marigny St., New Orleans -- Telephone: 282-7981 (next door). This is actually the telephone number of Charles I. Camp, Mr. Ravel's son-in-law.

Mr. Ravel stated that he was formerly connected with the "CUBAN REVOLUTIONARY COUNCIL" . . . had become the New Orleans delegate . . . when Sergio Arcacha Smith was "fired" from that position. Mr. Ravel . . . could furnish no information about (Oswald). Mr. Ravel was shown a copy of the booklet entitled "The Crime Against Cuba" but could furnish no information as to why the rubber stamp impression "F P C C 544 Camp St. NEW ORLEANS, LA." appeared on this booklet . . .

Mr. Ravel stated that Billy Monteleone, of the Monteleone Hotel, New Orleans, had been Chairman and Sponsor of the "CRUSADE TO FREE CUBA COMMITTEE."

Mr. Ravel stated that Sergio Arcacha Smith had a poor reputation for honesty insofar as financial matters were concerned; that Arcacha was suspected of having embezzled some of the funds of the "CUBAN REVOLUTIONARY COUNCIL." He said that Arcacha had allegedly gone to Miami about a year or so ago after he had been fired as delegate at New Orleans by the "C R C." . . .

On 12/2/63 reporting agent also received a telephone call from Mr. Luis Ravel. He stated that he had looked up some records and determined that he took over as delegate for the "CUBAN REVOLUTIONARY COUNCIL," New Orleans, in February, 1962, and a short time thereafter moved this organization's office from 544 Camp Street to his home. He said that the "CRUSADE TO FREE CUBA COMMITTEE" was organized shortly thereafter and lasted only about a month or so Mr Ravel stated that the "CUBAN REVOLUTIONARY COUNCIL" is still in existence, the present delegate being Mr. FRANK BARTES, 1608 Mason Smith Ave., Metairie, La. -- Telephone: 835-3462 . . .

Here there is a clue that certainly should have been investigated if anyone was at all serious about finding out why Oswald used the return address 544 Camp Street and what other Cuban groups, if any, also did. This should have been done, if only to prove the obvious wrong.

Ravel, Arcacha's successor, said that shortly after he took over he moved the Cuban Revolutionary Council to his home and that "the 'CRUSADE TO FREE CUBA COMMITTEE' was organized shortly *thereafter*."

But according to Arnesto Rodriguez, Sr., "Ronny Caire . . . the principal organizer" of the "Crusade," "prevailed upon Arcacha to join or become part of" it. And also according to Rodriguez, the

Ronny Caire fund-solicitation literature "showed that contributions were to be sent to either *544 Camp Street* or to the Post Office box of Sergio Arcacha."

Aside from the revelation of Arcacha's capacity for keeping his feet in the trough, this says that *after* the Cuban Revolutionary Council *no longer* had offices at 544 Camp Street, Arcacha was using it interchangeably with his personal post office box for mail and that *mail addressed to an exile group at 544 Camp Street would reach it!*

Of course, it is possible one or both of these Secret Service sources were wrong. It is also possible they were right. Such is the nature of this investigation. But the most obvious probability is that "Crusade" and "Arcacha" mail reached Banister's office.

In light of Rodriguez's statement that Ronny Caire "had prevailed upon Arcacha" (one can imagine how much pressure it took!) to join the "Crusade" *against* the opinion of the Cubans" (the underlined emphasis supplied by the Secret Service), and that Arcacha wound up getting the contributions, the ensuing language of the report may be regarded with some skepticism:

At approximately 2:00 p.m. on 12/2/63 reporting agent telephoned Ronny Caire Advertising Agency proprietor, with offices at his home located at 616 Dumaine St, New Orleans. Mr Caire stated that Sergio Arcacha Smith had at one time been a delegate to the "CUBAN REVOLUTIONARY COUNCIL" at New Orleans. He said that funds collected by the "CRUSADE TO FREE CUBA COMMITTEE" were deposited in the Whitney National Bank New Orleans; that the drive to raise funds was not too successful and the crusade gradually "folded up." He said he knew nothing of Lee Harvey Oswald ever having any connections with the address at 544 Camp Street, New Orleans.

A polite understatement of what most likely happened is this:

On 12/2/63 reporting agent interviewed Mr. William A. Monteleone, President, Monteleone Hotel, New Orleans. He stated that he had been persuaded by a number of his friends to join the "CRUSADE TO FREE CUBA COMMITTEE" and that he was chosen as General Chairman of the organization. Mr. Monteleone stated that the "CRUSADE TO FREE CUBA COMMITTEE" was organized to raise funds in support of the "CUBAN REVOLUTIONARY COUNCIL", that it was soon realized that all of the funds raised by the "CRUSADE TO FREE CUBA COMMITTEE" were being used to defray expenses incurred by the "CUBAN REVOLUTIONARY COUNCIL" such as

newspaper, television and radio publicity, etc., etc. He stated that interest in the "CRUSADE TO FREE CUBA COMMITTEE" soon laded and the organization "folded up." Mr. Monteleone could furnish no information re Lee Harvey Oswald.

None of the agents or agencies patched together even that slight amount of the available exile group information that they *did* collect.

One more such item might be interesting. It is a little addition to what these reports say of the man who wanted space at 544 Camp Street, of all the available space in New Orleans:

He was an electrician. We can learn little about Arnesto Rodriguez, Jr., from these reports, but we do know that his father's business was electrical.

He taught Spanish. Arnesto, Jr., Was connected with "Berlitz."

(Arnesto was not merely a member but was an official entitled to sign the checks of both interlocking groups.)

These reports are not much, but they are all we have to go on, thanks to the "thoroughness" of the "extensive investigation."

With Dave Ferrie we learned that there was more available about him in the newspapers than from the "thorough" official investigation. Possibly the flimsy skeleton of the official "Cuban" investigation can in this way be fleshed out.

Chapter 14 GARRISON'S GALLERY

NEW ORLEANS -- Off Lafayette Square, across the street from the magnolia trees, the azalea bushes, the statue of Benjamin Franklin, and the newspaper plant of the *Times-Picayune* and *States-Item*, are two vacant offices which now carry "For Rent" signs.

One office, on the Camp Street side, once housed Cuban exiles involved in anti-Castro activities after the Bay of Pigs invasion; the other, on the Lafayette Street side, was the headquarters for Guy Banister Associates, Inc., a private detective agency.

In the days before and after the Bay of Pigs in April 1961, the Cubans met often in Banister's office. And there, two people are reliably reported to have informed Dist. Atty. Jim Garrison, Lee Harvey Oswald was seen with the Cubans and the group around Banister.

That group included three of the persons whose names have surfaced since Garrison's investigation . . . They are: Jack S. Martin, David Lewis, and David William Ferrie.

Martin and Lewis were employed by Banister's firm . . . Ferrie . . . had been working closely with Banister in anti-Castro activities and also had retained Banister's firm to help him in a morals case with which he had been charged.

One of the Cubans who used to go to Banister's office told this reporter . . . that Garrison had questioned him a number of times in the past month. Garrison told him, the Cuban said, that witnesses have stated they saw him there with Oswald and the others.

The Cuban flatly denies it . . .

That same Cuban, who wants to remain anonymous, in fact did meet Oswald at Oswald's apartment . . . in August 1963. He had gone there in an attempt to learn . . . about Oswald's supposed Fair Play for Cuba Committee organization in the area.

(This language renders dubious and fraudulent the request for anonymity, for it spells out "Carlos Quiroga" and no one else. It is Quiroga who unsuccessfully undertook just this impossible mission for Bringuier, and it is Bringuier who gave his name to the government.)

They talked for about half an hour . . . promptly reported his contact with Oswald to the New Orleans Police Department . . .

The Warren Commission was fully aware of his meeting, although his name does not appear in the report.

This is the opening of a major, lengthy, copyrighted story across the top of the front page of the Washington *Star* Sunday morning, February 26, 1967, Written by Haynes Johnson. In blurbing his piece,

the *Star* referred to "The Bay of Pigs," saying that he wrote it "with the assistance of the Cuban leaders of the 1961 invasion of Cuba." Only such excellent relations enabled him to write, so soon after the surfacing of the Garrison investigation, an account with information that did not appear elsewhere, including in the official investigation.

His is an important story. It was not, however, immediately followed up. The leads to further information were not exploited. There it ended.

From this point Johnson proceeds to protect the FBI and the rest of the government and to speak deprecatingly of Garrison personally and of his investigation. Then Johnson analyzes what he estimates Garrison's concepts to be. With minor exceptions, these coincide with exposures of my two *Whitewash* books and from what had been gathered for *Whitewash III: The Archive* and for this book, originally intended to be part of *Whitewash III*.

It is Garrison's obvious contention that Cubans were somehow involved in the President's death . . . his case appears to rest on one theory about the assassination:

That Oswald was working with an anti-Castro right-wing organization and actually intended to kill Fidel; that Oswald's publicly pro-Communist activities in New Orleans and his attempt to enter Mexico and secure a Cuban visa were a ruse to enable him to carry out that Castro assassination objective; that when Oswald was denied entrance to Cuba, the plot shifted, and Kennedy, accused of letting down the anti-Castro Cubans at the Bay of Pigs, became the target. This theory has, been examined at length in the past and has been discarded.

To these basic ingredients, Garrison seems to have added new factors. These are among them:

The evidence of a training camp for Cubans in St. Tammany Parish (County) across Lake Pontchartrain in the summer of 1963 where, supposedly, Oswald went for the purpose of participating in the plot to kill Castro.

[As I have shown earlier, this is "new" only in the Oswald-training angle. I discuss this camp in *Whitewash*, then got the proof from the Commission's files. There is no evidence Oswald took training there.]

- * The later movement of an American, who reportedly organized that camp, from New Orleans to Houston.

- * Two canceled checks drawn on the New Orleans Bank of Commerce in New Orleans in the summer of 1961, used to help pay the way back to Miami for two of the Cubans from that camp.

- * The departure of other Cubans, from New Orleans to Miami, and one to Dallas.

- * Documents from an anti-Castro organization which operated briefly in New Orleans in 1962 and then was disbanded.

- * A photograph of Oswald distributing pro-Castro literature on Canal Street here that shows a man supposedly later photographed behind a sign in Dealey Plaza in Dallas on Nov. 22, 1963.

This is the picture to which I referred earlier, taken by a tourist.

From here Johnson proceeds to the conclusion that is correct only if one assumes, as did the government, that Oswald was the assassin:

Out of all the smoke, one thing is certain: To prove any conspiracy Garrison must be able to link Oswald with others. That is where the relationship between Guy Banister's detective agency and the Cubans becomes crucial.

Banister is important, as is Oswald, but there could have been a variety of conspiracies in which neither was an active participant. Oswald could have been exactly what he claimed after arrest in Dallas, a "patsy," a conveniently framed fall guy. This is my belief, based on the Commission's own misrepresented, misused and suppressed evidence.

For a while Banister published a weekly paper across the river from New Orleans. When he organized his detective agency in 1960, he took Jack S. Martin with him from the paper. Johnson says:

Banister, without question, was actively involved in the anti-Castro cause before the Bay of Pigs. Whether in fact his office was the center of an arms cache, as is alleged here, is not known, but it is a fact that Cubans met there along with David Ferrie, a former pilot, and that they were observed by two of Banister's employees Martin and David Lewis.

Johnson believes these two men are Garrison's principal sources of information and that neither is reliable. Johnson may be right on either or both counts. Only the final presentation of the court case will tell us. It is, however, not likely that one finds bishops picking pockets. It is not reasonable to expect the most solid citizens to associate with the Banisters, Arcachas, Ferries and other assorted types engaged in the Cuban-exile futilities and third-grade soldier-of-fortune business. What is more important is not who these men are but what they know and whether they speak truthfully on these matters.

Shakespeare addressed himself to this in Act IV of *All's Well That Ends Well* when he said,

'Tis not the many oaths that make the truth,
But the plain single vow that is vowed true.

In the course of his character study of Martin, presented largely in the words of Mrs. Martin, Haynes Johnson reports Martin had been a "Flying Tiger" in World War II, hero is another pilot in the cast of characters; is an amateur painter; had autographed pictures from Banister and Richard Nixon, among others, and had been photographed with a former New Orleans mayor and Lucille Ball and Desi Arnaz; and "wherever there is excitement or intrigue, that's where Jack is going to be."

Mrs. Martin told Johnson "that she had known Ferrie and a number of anti-Castro Cubans. She said she had never met Oswald, although she had heard the rumor that 'Guy Banister's office was in this building, so were the Cubans,' and so, theoretically, was Lee Oswald's."

Here was real intrigue. If Johnson pursued it, he does not so report.

What was Oswald, who never earned a typist's wage in his life, whose unemployment compensation, the Commission says, was enough for him to live on comfortably and almost as much as his earnings when he worked, doing with an office in a downtown building? Whose office was it, if it was not his? Is it just coincidence that when the Cuban Revolutionary Council took an office (and then for but a short while) they selected the building that housed the swashbuckling former FBI agent, Banister, who on his own or otherwise was engaged in the same Cuba-invasion business and who arranged for their office through his employee, Martin?

Unlike most of the others reporting from New Orleans the end of February, Johnson says little about David Lewis. He does not ridicule or belittle the younger man. He quotes Mrs. Martin as saying, "Lewis has an amazingly retentive memory." Johnson accurately paraphrases what Lewis did say, that "he knows five persons involved in the assassination with Oswald."

Johnson concludes his important story of more than a full, seven-column newspaper page with about a half-column on "The Cubans," of whom he says too little and too little of what they told him. He places the number whose names are "being bandied about in New Orleans" at from four to fourteen, "depending upon whom you talk to."

Of the "several" of these whose names "are common knowledge" Johnson said he spoke to two. He quotes one whose name he hides but who might well be Quiroga:

He spoke readily about his contacts with other Cubans and with Ferrie and Banister. "Ferrie was active in the Cuban revolutionary front," he said . . . "He tried to help us raise money. We used to go to Guy Banister's office, and one of the reasons was because he was an anti-communist . . ."

He added later, about Ferrie: "Ferrie could dream of things -- he was a very bright intelligent person -- and one time I remember he was going to try and get a small submarine and plan to get into Havana Bay and blow up one of those docks over there." . . .

He gave the names of people he knew involved in meetings at Banister's office, just as he has to Garrison and includes the name of a young American who has left town.

The Commission also made no mention of Quiroga's name. It is not in the Report, or in the index of names mentioned in the testimony. Quiroga did speak to federal investigators. They had as little interest in what he had to say as did the New Orleans police, for whom Quiroga offered to become a stool pigeon. Quiroga told the Secret Service that his offer was ignored, strange for the Red-dreaming New Orleans police.

Probably the proofreader at the *Star* erred. What Johnson's informant said is not only that Ferrie was active in "the Cuban revolutionary front" but specifically in the organization of that name, the Cuban Revolutionary Front, as Pena had told me.

Johnson and I agree that only time will tell whether Garrison's is a "crazy" investigation. That will be decided in court, where Garrison will not have it as easy as the Commission lawyers did. Liebel and the others were not bound by the rules of evidence, were not inhibited by the excellent laws against self-incrimination, did not have to concern themselves with slanders and libels secretly wholesaled by witnesses they would never have dared produce in court, and they were never confronted by opposing counsel, never had any kind of opposition or cross-examination to contend with. The rules under which the New Orleans courts function are fixed and known; those of the Commission were virtually nonexistent and were improvised to meet the changing needs of the case, the predetermined conclusion its lawyers sought to make credible.

Johnson, however, is one of a number of sources that tie Ferrie to the extremist Cuban exiles, and tie them and him to others. All the information he had, and much more, was available to the government, which just did not want it.

In my opinion, this article is the most significant and informative of those written in the early days of the Garrison investigation. New Orleans was then well covered by some of the world's best reputed by-line writers. It is a journalistic achievement and a public service that Johnson gathered and reported as much as he did in a single writing. I disagree with some of his interpretations and opinions but respect his accomplishment.

Other reporters also gathered fact -- to them, news. Despite the ardent antagonism toward Garrison, a virtually monolithic rally-round-the-government attitude, much appeared in the newspapers that is not in accord with the government's and press's preconceptions, much that should have been developed and analyzed in hearings and was not.

Arcacha was arrested on April 3 for extradition from Dallas to New Orleans. He was charged with conspiracy to burglarize a munitions bunker. Charged with him was Gordon Novel who had made headlines for the month prior to his arrest in a successful public relations campaign that reached its zenith when NBC News and the Hearst Headline Service arranged for a self-serving and deceptive "lie detector" test in suburban Washington.

The Commission was almost 100 percent successful in keeping all reference to Arcacha from the testimony as the FBI and Secret Service were from the exhibits. The indexer just left him out. Nonetheless, the Commission had an "Arcacha file." I have duplicate copies of folio 471 of File 75, part 2. One and by far the clearer has a stamp at the top of it, "Other Individuals and Organizations Involved or Interviewed." From this category we must conclude that there is more "sloppiness" or that Arcacha was either "involved" or "interviewed." I have found no copy of any interview with him. This being the case, he was, in the concept of someone on the staff, "involved," making all the more incomprehensible the absence of any interview. He *could* have been found easily. The elimination of his name and that of his organization from the index and Liebler's quick shuffle when Pena volunteered Arcacha's name does not diminish suspicion.

The Arcacha file copy of this report, made by FBI Agent Earl L. Hassell following a November 27, 1963, interview with Manuel Gil, has the mention of his name encircled in the body of the report. It is written in large black capital letters across the top, and bears the additional legend, "O-POST." To Manuel Gil and in this report Arcacha is also "head of an anti-Castro Cuban organization" in New Orleans as of about January 1962. It had a name, and if Gil did not give it, the FBI knew it.

Another "coincidence" is that all mention of Arcacha avoids reference to his background and experience. The neat, well-tailored, natty-mustached and smooth gentleman is a former diplomat in the service of Dictator Batista. The relationship to the deposed tyrant is not unique with Arcacha in this story. Nor is official failure to mention it.

From the newspaper accounts, this could be an entrancing file if the entire story is ever released. From Arcacha one can follow a trail almost any where and to almost anyone. There are repeated references to him and Ferrie together and to him and close associates of Ferrie. These go back six years, back to the pre-Bay of Pigs period. The robbery of the explosives store at Houma, Louisiana, is of that pre-assassination period.

His interests and activities were so well known and understood that three weeks before his arrest, Gordon Novel told the press when he was summoned by the grand jury for questioning that, according to the New York *Times* of March 17, "he believed he had been subpoenaed for questioning about the activities of a one-time Cuban exile leader. Mr. Novel identified the leader as Sergio Arcacha Smith . . . a leader of the Cuban Democratic Revolutionary Front, an anti-Castro group."

An incident late in the night of August 30, 1961, resulted in a police record for Arcacha and a public connection with Ferrie as of that date although it was, of course, of much longer standing. Pena tells me Ferrie enjoyed the Arcacha table. Newspaper accounts of this incident are not entirely consistent. The New Orleans *States-Item* of February 27, 1967, quoted New Orleans police as saying "they stopped two young men in a car on August 30, 1961, and found in the auto a pistol and makeup kit with a wig. When police voiced suspicion, the youths took them to the home of Sergio Arcacha so he could vouch for them. Arcacha's wife told police that Ferrie had been at the home a short time earlier, and the pistol and kit belonged to him. The youths were released."

Other accounts have the car parked and the young men waiting for Ferrie. George Lardner wrote in the Washington *Post* of February 27:

One Layton Martens had been at Arcacha's apartment when the police rapped on the door back in 1961; he had then furnished them with identification saying he was second in command here of the Cuban group headed by Arcacha.

This claim by Martens is more likely boasting mixed with alibi. He was but a boy then. It should be noted that he was also Ferrie's roommate in 1963.

The day before, Lardner said what is clearly the case and what should have interested the government during the assassination inquiry:

At one point Ferrie was also alleged to have been "working out of" the New Orleans office of the Frente Revolucionario Democrático headed locally by Sergio Arcacha, who Newsweek reporter Philip D. Carter found moved from New Orleans well before the assassination and wound up in Dallas in the police investigation of the August 30 incident revolving around Sergio Arcacha Smith's home here, the New Orleans intelligence division reported several months later, that "apparently this group (the Cuban Revolutionary Democratic Front) was legitimate in nature and presumably had the sanction of the CIA, although this could not be determined locally."

This incident of the boys and Ferrie's car at Arcacha's home came but four days after Ferrie was in the news on one of the sex charges against him. The *States-Item* reported that

. . . a search of Ferrie's home turned up numerous maps of Cuba and seven or eight World War I rifles with a quantity of ammunition. A juvenile told officers he had flown to Cuba with Ferrie on several occasions. Ferrie asked another teenager to drive a Cuban citizen to Miami, police said.

Of course, Ferrie might have been a "maps of Cuba" buff, as he might have collected old rifles, ammunition, and aerial bombs, just for the love of them.

His early participation in these Cuban activities is confirmed by Orest Pena, who attended the meetings until he could get no accounting of the funds he collected and contributed and began to doubt Arcacha's financial probity. It is he, Pena tells me, who went to the Miami headquarters of the Cuban Revolutionary Council and initiated the inquiry that ended with Arcacha's ouster.

I suggest that the undenied CIA interest in Arcacha and his group is consistent with Ferrie's activities and associations and with the official hands-off policy during the investigation of the assassination.

Until now, Arcacha has always landed on his feet, as the earlier accounts of his ventures show. He usually has the right friend in the right place at the right time. In the most bizarre aspect of his recent career, during February 1967 Dallas Assistant District Attorney Bill Alexander acted as his legal counselor and the Dallas police as his protectors against New Orleans authorities. None of this is inconsistent with the reported CIA interest. The treatment of Arcacha contrasts vividly with how these same Dallas officials treated Oswald.

According to George Lardner, Bringuier "stated that it was he who helped Garrison's men to find Arcacha. Arcacha had called Bringuier to find out what was going on in New Orleans."

There had been a long period of silence about Arcacha. Stories had appeared about him, but he had not been located. Rumor had him going to Miami when he left New Orleans."

Then it was learned he was in Houston at the time of the assassination, or at least so it was reported. On February 26, 1967, New Orleans TV Station WWL (whose radio affiliate has been part of the official U.S. anti-Castro propaganda operation) broke the story of Arcacha's Dallas benefactors. This is what the Associated Press said following a lead dealing with earlier inquiries about Ferrie.

Meanwhile, in New Orleans, WWL-TV said today in a newscast it had learned two key Garrison investigators were in Dallas over the weekend to question a man who was once a Cuban exile leader in New Orleans.

The man was identified as Sergio Arcachia, now a Dallas resident.

Bill Gervitch (sic) and another Garrison investigator flew to Dallas to Gervitch's private plane, WWL-TV said, met Arcachia in the Dallas police station but asked him no questions when he requested the interrogation be conducted in the presence of Dallas detectives.

Arcachia, the report continued, said he was being legally represented by Asst. Dist. Atty. Bill Alexander of Dallas; who when questioned said he had only advised Arcachia of his rights after the man had told him Garrison was "hounding him" to go to New Orleans for questioning.

The New Orleans TV station said it had confirmed its information from Garrison, who appears to see a key link in the assassination between a Cuban exile group and Ferrie.

Alexander's denial that he was Arcacha's attorney and his attitude of I'm-just-a-good-guy-always-willing-to-help-the-down-trodden-and-helpless -- free -- did not impress Arcacha. In the inevitable press conference following his release under \$1,500 bail in Dallas April 3, Arcacha explained his reasons for fighting extradition and refusing to talk to Garrison: ". . . he refused to talk to me with my attorney present . . ."

In New Orleans, William Gurvich answered Arcacha, making his first public statement.

"He knew we were coming," he said. "We called him long distance and told him we were coming."

But on arrival in Dallas, they could not locate Arcacha until about 9 P.M., when they found him with two detectives in the Dallas police building. Arcacha refused to talk unless the detectives were present.

Gurvich said, "We told him we would speak with him only in the presence of his attorney. Then he told us his attorney was William Alexander of the Dallas DA's office. We told him that was no good."

The Cuban exiles learned their public relations fast, if they had no counsel by the elbow. No sooner did this story break than Arcacha was on the telephone to New Orleans, where most of the reporters were. Here are excerpts from the Washington *Post* story of February 27:

A former Cuban exile leader, wanted for questioning by District Attorney Jim Garrison, said today he was fearful of what might happen to him if he returns to New Orleans.

Sergio Arcacha Smith, one-time New Orleans delegate of the anti-Castro Cuban Revolutionary Democratic Front . . . voiced anxiety and frustration in a telephone interview . . .

"I just don't know anything," Arcacha told a reporter over the phone. "What's the man trying to do? Why doesn't he arrest somebody? Why doesn't he tell what he

has? If you can't believe Earl Warren and the FBI, who can you believe in this Nation? . . .

Clearly nervous and upset, Arcacha refused to admit knowing Ferrie. "I can't recall," he said. "I studied the name in the papers the other day. I just can't place him."

The same story quoted Bringuier as saying he had gone to see Ferrie with Arcacha. The Associated Press quoted Arcacha's complaint: "It's a shame that in this country they do this to honest people."

Gradually over the weeks Arcacha began to sing a different tune. Although the racking of its brain February 26 and his "study of the name" led him to deny knowing Ferrie, according to the *Dallas Morning News* of April 4, "He has admitted knowing Ferrie but insists he 'knows of' nothing pertinent I could tell the New Orleans people." His initial statement that he knew and had done nothing was made ridiculous by what was then public knowledge. So he modified it, saying that "any activities I participated in while in New Orleans had absolutely nothing to do with any plot to assassinate President Kennedy."

Twenty days later the *New York Times* said Arcacha "was reported to have been training men for an invasion of Cuba." March 31 Arcacha was formally linked to the assassination investigation in an affidavit filed by Garrison's office placing a conspiracy charge against him, Ferrie and Gordon Novel. The affidavit sets forth that during August 1961, the same month Ferrie's home was raided while he was under sex charges and his car with the young men was found by the police near Arcacha's home, the three men "did willfully conspire" to raid "a munitions bunker located at Houma, Louisiana," which is about 40 miles south-west of New Orleans.

By April 4 the press had a better idea of Arcacha's position in the New Orleans Cuban community. The *Dallas Morning News* said,

He was chief of Cuban revolutionary activities in the New Orleans area before the Bay of Pigs invasion in 1961. He collected money and coordinated the training of Cuban refugees preparing to take part in the invasion. New Orleans newspapers have said Ferrie was in the same work.

Honest or not, innocent or not, as the courts will decide when given the chance, Arcacha is a many faceted man with multitudinous links and associations, some yet to be publicly identified.

The FBI report of Agent Earl L Hassell, quoted above, is another proof of the FBI's early and active interest in Arcacha. It was on November 27, 1963, five days after the assassination (and two days after Wall's whirl wind exercise in getting no information about Arcacha while consulting the best-informed sources) that Hassell interviewed Manuel Gil. Gil is a modest man who always identifies himself merely as "an employee" or the production manager of the might-as-well-be official "Information Council of the Americas." I say this because if it is not connected with the CIA or the USIA, it should be for its function is indistinguishable from that of a government subsidiary or agency. It spreads propaganda, usually not unacceptable to those who find the John Birch perspective attractive. It is Gil who arranged for the Bringuier-Oswald debate that became so effective a propaganda device for the radical right. It was Carlos Quiroga who did the contact work for Bringuier. Bringuier is a slickie who does not normally require contact work done for him. He described himself, as we have already seen, as the anti-Castro propaganda chief for the New Orleans groups.

In the Hassell interview there is no indication of Gil's own similar myriad connections. In addition to those already noted, the New Orleans *States-Item* of February 20, 1967, referred to him as "New Orleans delegate to the Miami-based Movimiento Insurreccional de Recuperacion Revolucionaria" and quoted his newest efforts at confusion and misinformation: "The hand of Castro was behind the suspected plot." That is a pretty cute one, even for the skilled Gil. The plot is only "suspected," but he is sure the Red hand was there. The paper said he believed "that Oswald had other people working with him at the tune of the assassination."

Gil's connection with the MIRR puts him on both sides with the government -- as an instrument of policy with the INCA and as the representative of groups whose most hare-brained adventure got its leader arrested and indicted by the same federal government.

The former Cuban Senator Rolando Masferrer, proudly called "El Tigre" by his associates for his vicious Batista regime excesses, is the MIRR "invasion" chief. His helter-skelter parlay invasion of Cuba -- via a Haitian revolution which he and a ragtag band of 50 kept as secret as yesterday's front page -- was stopped when the U.S. Treasury's agents intercepted it in November 1966. Masferrer was allowed to escape. While his motley crew was being rounded up, he was being interviewed by the press. His inflammatory opinions got wide publicity. His venture was so ridiculous and futile, gagsters in Florida dubbed it "The Bay of Piglets."

After the Garrison publicity the Associated Press did a roundup story of the Cuban groups in Florida and their activities. AP called the MIRR "most noisily busy" and identified its titular head as Dr. Orlando Bosch.

This zany "expedition," in the opinion of the Customs men who broke it up, was so inadequate that with it "they could not successfully have invaded Burdine's" (a large Miami department store). Before his falling out with Masferrer, Napoleon Vilaboa, former Cuban rebel officer, agreed to be the military head on the understanding "the operation had CIA support." It was so clandestine that CBS News had set up two months earlier to cover its launching. The Haitian consul in Miami, Eugenio Maximilian, makes as much sense of it as anyone. He let it be known, according to the Associated Press, "that Masferrer had offered to call the invasion off for \$200,000." This, of course, is high principle.

Masferrer was known to all the characters in the story of The False Oswald, according to File 1553.

So among Gil's connections and official relationships were some interesting people with violent and unscrupulous capabilities.

Young Carlos Quiroga, everybody's busy, unofficial press agent, was well connected to Arcacha, Gil, Bringuier and numerous others. He was not alone. Later, Quiroga complained of police and FBI indifference to his offer of stool pigeonry. That they would not want a "stoolie" inside a left-wing group is not comprehensible. That they considered they needed none with Oswald is understandable.

As he had supposedly sought anonymity from federal and local police, Quiroga, while playing little bonnet filling bee when the press poured into New Orleans after the Garrison publicity, again asked that his name never be mentioned. Thus, while his own special propaganda was filling the papers of the world, the source of it was obscured from those who might understand and reveal the special interests and connections of this bright and eminently successful young man. His request that his name not be disclosed meant little: the description that was invariably used fit Quiroga more uniquely than his name, for while there may be more Carlos Quirogas, there is only one man who was sent by Bringuier to "infiltrate" Oswald. Had his request for obscurity been serious, it would have been self-defeating, for it attracted more interest than the open printing of the name. It also augmented reporter attention in Carlos and what he had to say, made him seem more genuine and a little mysterious.

Quiroga was on the ground floor all over, with both feet firmly planted. The indifference of the FBI, especially Wall, to his identity, is not normal. The reference by Banister to this one Arcacha associate, who knew and was involved with them all, is a special kind of mystery. Why should Banister have so provocatively singled out only one and, if we can trust Wall, then pretended he could not identify him? And what kept Wall from making the identification, from his own report, of the person who was always with the man he was investigating, Arcacha?

It is difficult to conceive of this talented and capable young man, Quiroga, as no more than everybody's errand boy.

All of the mixed bag of oddly assorted men of different cultures, ages and stations had something in common besides their connections with Arcacha, Ferrie, other Cubans and exile groups and thus to

Oswald or those impersonating him. They had a flair for public relations and enjoyed a good and a friendly press. Considering the nature of the charges and what, ultimately, these involved, it is surprising that whatever was said was -- however improbable, overtly false or ridiculous accepted and played straight. The adverse editorial comment in the news stories was reserved for the other side. To stand accused by public authority of having in some way been involved in the assassination of a President, somehow became respectable, almost a badge of honor. The frankly editorial comment -- in the editorials, where it belongs -- was similar. If one were looking for conspiratorial federal opposition to Garrison one might contemplate the uniformly good and successful public relations advice these men got, from themselves or others, suggestive of professional services.

Each witness called to an official proceeding was greeted by the TV cameras and a not unfriendly press corps, said whatever served his purposes, got abundant attention with it and, leaving a sweet taste in the public mouth, went his way.

No one was more successful in his public relations than 29-year-old Gordon Novel. He was so successful some of the press made his arrangements and paid their cost, and this while he was a fugitive. The things he did and said would have evoked severe criticism had almost anyone else in the world said and done them.

Novel, too, knew many people. He acknowledged knowing Shaw, "but not as related to this thing." No reporter asked, "What is 'this thing?'" Not one story indicates the nature of this relationship -- business, social or what. He knew Ferrie, but "indirectly," however that is. He knew Arcacha well enough to be called to testify about him. Before entering the grand jury's chambers on March 16, he told reporters his testimony would be "about activities during 1961 which are related to Mr. Sergio Arcacha Smith." To Dean Andrews, Novel is a "good friend and a client," but not in this case. As assistant district attorney of Jefferson Parish, according to the *Times-Picayune* of March 21, Andrews *nolle prossed* (or dropped) four of the five speeding and reckless-operation charges following Novel's traffic arrests. The fifth was dropped without the records indicating by whom.

On the day he was called to testify, Novel told reporters that in addition to his Jamaican Village bar he owned an electronics company specializing in "anti-surveillance equipment," a more polite way of saying devices to prevent "bugging," or electronic eavesdropping. The grand jury did not finish with him that day. A new subpoena calling for his appearance the following Wednesday, March 22, was issued. By then, Novel had left town. His lawyer, Steven R. Plotkin, told the *Times-Picayune* that Novel was in Washington on "personal business," that he had not expected to be called until Thursday, and that he would return.

When sheriff's deputies sought to serve the subpoena Tuesday night at the Jamaican Village, they were told that Novel had sold the bar on Sunday, three days after his first appearance before the grand jury. He had also left his apartment. But his absence was said to be "temporary."

Not in Washington nor in New Orleans, but in Columbus, Ohio, Novel surfaced March 23, the day after his scheduled grand jury appearance and of Shaw's indictment, to begin a series of running attacks on Garrison and an effort to dictate the terms under which he would return. The Associated Press quoted his demand for "immunity from 'harassment,' " and his description of the investigation as "political" and a "fraud" and of Garrison as a "double crosser." He had, at first, "helped" Garrison, Novel said.

To United Press International, which the same day, March 23, claimed to have located Novel, he was more explicit. His real complaint was that Garrison would not let him be district attorney, judge and jury:

At the request of Mr. Garrison's chief financial supporter, I helped him (Garrison) all along in the thing and I told him all along I don't believe what he has is real and I don't to this day.

"I don't believe his case and from the methods he's used I think he's a fraud," Mr. Novel said. What my friend, Mr. Garrison, is conducting is not a normal investigation but is a political, police state inquisition.

"His borrowed 'rush to Whitewash' theory of the assassination puzzle is being solved by his forced hammering, like an egotistical child, of the wrong people and pieces in the right place and visa versa (sic).

"I'll go back to New Orleans when I'm positive what Mr. Garrison has planned for me," he said.

That day Garrison ordered Novel's arrest as a "material witness" and fugitive. Judge Matthew Braniff ordered arrest if Novel did not return voluntarily under a \$50,000 bond.

Thursday Novel was reported to be in Chicago. In checking out of the Columbus motel early that morning, he left a note saying he was going there because of "pressure from New Orleans." When he did not appear by Friday, Judge Braniff ordered his arrest, setting bail at \$50,000. Attorney Plotkin said he knew where Novel was but would not say.

When Novel's lawyer said his client was in Washington, he was instead in Columbus, Ohio. When Novel said he was going to Chicago, he went instead to Washington. He turned up in suburban McLean, Virginia -- home of the CIA -- with well-connected Private Detective Lloyd B. Furr, to take a special kind of "lie detector" test. While Novel was a fugitive, NBC and Hearst Headline Service made a deal for this special "lie detector" test, with NBC paying Novel's expenses. It taped an interview with Novel Saturday afternoon. Before it was aired, he was out of Washington. This time there was a choice of rumored destinations, including Canada.

The magic of "lie detector" was exploited to the maximum. As the story came out in the Washington *Star* of Sunday, March 26, Furr is quoted as saying Novel "passed" the test, whatever that means. UPI used the same wording, " 'passed' the lie test." "He showed no deception," the Great Lie Detector declared. If one is to judge from the *Star*, passing the test consisted of convincing Furr that "Garrison's conspiracy prosecution is a fraud."

For its issue of Monday, March 27, the New Orleans *Times-Picayune* wanted more detail. It phoned Private Detective Furr. This sentence in the story puts this "impartial," "scientific" test into perspective. "Although he said Novel 'answered the questions satisfactorily,' Furr stressed he was not at liberty to discuss test findings." He of course loaded the paper with dubious opinions, such as that what

Novel "passed" was in fact a valid "test." But the questions Furr asked? We do not know. *That* he is "not at Liberty to disclose." Assuming the validity of the procedure, which is unwarranted, what is Furr giving us? The assurance that Novel told him the truth in stating that the cow did not jump over the moon? Or that the moon over which the cow did not jump is not made of green cheese? What kind of spurious "test" is this? It was designed to make a headline that the district attorney is a "fraud," to give a pseudo-scientific endorsement to the fugitive who dared not return not to face a charge in open court but only grand-jury questioning!

Furr said he "was not at liberty" to disclose what he termed the test "findings," so he did, to make a headline. He was not "at liberty" to disclose the questions, so he quoted three: They reveal the integrity of his "science" and purpose, his "impartiality."

The first question is, "Did District Attorney Garrison agree to a bizarre plan to obtain a confession from David W. Ferrie?" Not just a plan, but a "bizarre" plan. Just how "neutral" can "science" be? What does "bizarre" mean -- to Furr, to Novel?

The wording of the question, as it appeared in the New Orleans paper, is otherwise pretty slick. Did Garrison "agree" to a "plan." Does this mean Garrison offered it or that Ferrie asked it, if anything like it really happened? It is not impossible that the district attorney, as so many thousands have before him, make a deal to get a witness to talk. But what does this mean as part of a "question"? And is Novel saying that Ferrie was going to confess when he was innocent?

The second question is, "Did Garrison threaten you (Novel) in any way to obtain your cooperation?" We do not know the answer, but need we, knowing how meaningless the question is? Is it a threat to tell a witness, "If you do not start telling the truth, I'm going to ask for a perjury indictment?" Is a demand for the truth or the whole truth "cooperation"?

And the remaining question is a pip: "Did you know Clay Shaw in connection with any Presidential assassination conspiracy?" Here is the acknowledgment that Novel knew Shaw. Inherent in the question is the presumption that Novel had instant knowledge, that he knew, and understood

thoroughly, everything Shaw was up to or might have planned, if anything. Inherent, also, is the pretended accusation that Novel was charged with being part of an "assassination conspiracy." At the time of this depraving of "science" and contemptuous display toward the courts and law and order, the only charge pending against Novel had to do with his abuse of the subpoena.

Does anyone suppose the fugitive would have enjoyed such immunity and services if he had been some kind of a left-winger?

In the circumstances, the statement by New Orleans Assistant District Attorney James Alcock in an AP story dated March 28 is a modest understatement: "I think it is very odd that Novel can be found by newspaper and television media and not by the people who are trying to arrest him." The next sentence in the AP story is, ". . . an FBI spokesman declined to comment . . .," followed, two paragraphs later, with, "Some federal authorities are known to look upon Garrison's investigation with a cold eye." That, too, is an understatement.

While busily engaged in denigrating the legal processes of the nation, Novel was also busy bugging. Leslie H. Whitten's story in the New York *World-Journal-Tribune* of March 29 discloses that Novel apparently intercepted and recorded conversations between Garrison and his major backer, Willard E. Robertson, a New Orleans auto distributor. Robertson was chairman of and the largest single contributor to the public fund that financed the investigation.

"As Robertson told it," Whitten wrote, "and as a tape recording made by Novel confirms, Novel called from his hideaway to Robertson in New Orleans a week ago to find out what Garrison was up to. Robertson assured Novel that he had spoken with the flamboyant district attorney about Novel. The auto man gently suggested to Garrison that Novel thought the subpoena against him was 'uncalled for.' . . ." Garrison then told Robertson, "I'm calling the shots," and asked, "How would you like to be indicted?" Another tape "indicates that Robertson and Garrison were heated in their exchange," Whitten says. He quotes Robertson as saying he was "shocked and upset that Novel, whom he has known since 1961, had taped their conversation."

Quite obviously, there is a law against this, and quite obviously, the tapes were made available. Aside from what this delineates as a self-portrayal of Novel, it reveals Garrison as not deferring to pressure from any source, perhaps one of the reasons more newspapers did not carry this story.

Incredibilities continued. While all of this was going on, Lawyer Plotkin appeared in court to demand that the arrest order be quashed. In denying the legal move, the judge actually bargained, saying that he would consider reducing the size of the bond were Novel to return to the jurisdiction of the court and that he might even release Novel on his, Novel's, own recognizance -- or entirely without bond -- if he did return. While this may have been a realistic gesture in view of the uncooperativeness of the Department of Justice and others, it is a degrading one for local court to feel it had to make.

Far from bargaining, Garrison followed this up the next day, the last of that strange month, by filing charges against Novel, Ferrie and Arcacha. His affidavit alleged that the trio "did wilfully and unlawfully conspire" to burglarize "a munitions bunker located at Houma, Louisiana, in order to obtain explosives and other forms of munitions . . ." during August 1961. The burglary actually took place, according to Garrison's chief aide, Private Investigator William Gurvich, but occurred outside the jurisdiction of the New Orleans court, thus "conspiracy" is all that could be charged there. Others not named were involved and their identities were known, Gurvich said, and they would soon be arrested.

After extradition proceedings were instituted, Novel pulled another switch. On April 7, he offered to return to New Orleans if guaranteed immunity from prosecution. The District Attorney rejected the offer; Grand Jury Foreman Albert V. LaBiche termed it "impossible."

So, two surviving members of the alleged conspiracy were arrested, Arcacha in Dallas and Novel in Columbus, Ohio (where he said on April 6 he had been all the time). His bail was set at \$10,000 and until it was raised he was jailed. He appeared before Municipal Judge Wilbur Shull on April 3 and began to argue his case for a low bond without a lawyer.

"I used to do work for Garrison," he said. "In fact, I did some of the investigating in this so-called plot. I've got a lot of charges of my own to make about him."

The judge interrupted this outpouring which had nothing to do with the issue before him. At some point not made clear by the news dispatches, Jerry Weiner appeared as Novel's lawyer. Novel continued. He planned to return to New Orleans, he said, forgetting that the courts were going to guarantee it, "but I did not intend to do that because of this Cuban . . ."

Weiner silenced Novel at this point. So, temporarily, there is this additional mystery.

On April 3 the *States-Item* thought Novel had just made himself "as much trouble" as in "his refusal to testify in the Kennedy assassination." A wallet-size card did it. In Columbus, Novel flashed to reporters a card that said he is a brigadier general on the staff of Louisiana Governor John J. McKeithen, "apparently as supporting evidence he is telling the truth."

Only the governor immediately denied he had ever made the appointment or issued the card. During his term he has personally issued only about 40, usually to armed forces generals.

"I've never heard of him," the governor said. "This has got to be a forgery."

William Redmann, the governor's chief counsel, called it "fantastic" and recalled the theft of some blank cards about two years earlier.

In disclosing the appearance before the grand jury of Rancier Blaise "Ranny" Ehlinger, the same paper noted that he and Novel had each been arrested on June 12, 1959, in New Orleans, as fugitives from a Baton Rouge auto-theft charge. The stolen car was found in the garage of a house the two men rented. Charges were dropped "when a third youth admitted the theft."

Ehlinger was represented by Lawyer Steve Plotkin, who told reporters he also represented Jack Martin and David Lewis.

Outside the courtroom, Novel continued gushing to the reporters of Garrison (he said he "knows" him) and of the extra special role in the investigation Novel staked out for himself. ("Ask him. My code name was 'Alexander' and electronics was my field.") He promised, with the proper touch of mystery, "I'm going to tell my story when the time comes." Here Weiner again interrupted to say, "The first thing I want to do is hear the whole story for myself."

A professional bondsman was obtained and Novel was released with the posting of \$10,000 bail.

But all of this "chatter," as Judge Hagarty termed it in ordering its end, suggests more intrigue.

Who is "this Cuban"? Could it be Arcacha? What had "this Cuban" done that, Novel felt, justified his ignoring and insulting the courts and arrogating to himself the decisions of the judicial process? This pompous and soap-operatic behavior did not end in mid-proceeding with the appearance of a lawyer to represent him. It was merely interrupted for the day, passing strange for a man then represented by a lawyer, and because of what became public in the intervening day.

Although Ferrie's former roommate, Layton Martens, was not one of the companions on that "goose hunt" commemorating the assassination and he rather than Melvin Coffey was arrested and indicted for perjury. The alleged perjury came in his testimony about Novel and the robbery of the munitions bunker. This part of Martens's testimony was cited in the charge:

Q: How often, how well do you know Gordon Novel?

A: I don't recall ever hearing or meeting Gordon Novel.

Q: Are you telling me that even when the boxes were being removed from the bunker, you did not know the purpose of this trip?

A: No. As best I can remember, I was there. Yes, I do remember being there. The purpose of the trip was not revealed to me.

Q: Do you remember Sergio Arcacha Smith being on the trip?

A: No, I don't.

With this acknowledgment that "boxes" were removed from the munitions bunker, Novel changed his tack. Back in Columbus he called it "the most patriotic burglary in history."

Patrick Henry, Sam Adams, George Washington -- make room for Gordon Novel!

Novel further altered his representation of his relations with the District Attorney's office (which, according to reporter Whitten, he had "bugged"), saying that he was enlisted to *prevent* its "bugging." This is not quite the same as his earlier, "in fact, I did some of the investigating."

Undeterred by the burglary revelation, in Novel's next daily claim to attention (by this time palling on many newspapers but still getting an electronic play), he stipulated anew how, in his exalted judgment, the courts were to operate in this inquiry.

Although ignored in most papers, the case against Arcacha and Novel was fortified April 4 when the District Attorney at Houma, Wilmore Broussard, ordered their arrest, charging them with burglarizing the munitions bunker. The *States-Item* identifies this depot as an abandoned military air base. It notes that "almost two years to the day later federal agents seized more than a ton of explosives and war materials at a secluded frame house in St. Tammany Parish, between Mandeville and Lacombe," or the secret Cuban invasion training camp I discovered in the Commission's suppressed files. The explosives had been found crated for shipment to Cuba.

Still in Columbus, Novel ordained at his (by then regular) press conference on April 6 that he would, indeed, return to New Orleans, but only when certain assurances were made -- for example, that the District Attorney not appear before the grand jury or adduce evidence for it, when the grand jury was separated from legal assistance, and, generally, that they find him no less saintly than Joan of Arc. This incredible and somewhat insane display of gall was sedately and respectfully spread by the news media.

He demanded immunity from everything, even embarrassment (he called it "harassment"). And to be absolutely impartial, he made the same demands on the Houma District Attorney. With all of this, he said, "I would like to go back and testify to a grand jury that isn't loaded."

Weiner's major contribution was, "If Mr. Novel is as important as Mr. Garrison seems to think he is, then he should be allowed these immunities to go back to testify."

Assistant District Attorney Alcock and LaBiche both rejected Novel's demands.

The perjury indictment of 24-year old Layton Martens was an additional blow to him as it was to his former associate, Gordon Novel.

Each of the several young men who as boys had been "uplifted" and "assisted" by Ferrie was thereby touched with tragedy. At the time of their association, they were but impressionable boys. They

were overwhelmed by Ferrie's erudition, passion, strength of corrupted character, determination, and by his exotic and thereby appealing approach to the life they were not yet prepared to face. The George Piazza, Jr., who fellow aviator Captain Magyar said was one of Ferrie's best friends in earlier years when Ferrie knew him in the Civil Air Patrol, was well connected. He grew up to be a respected young lawyer, devoted to the law, and to flying as well. He became an assistant on Garrison's staff and after leaving it represented Dante Marachini, one of the early witnesses before the grand jury. But he had decided on aviation, with an occasional fling at the law, and was completing his "pure jet" training with Delta Airlines in late March, 'midst all this, when the plane in which he and others were being "checked out" mysteriously plunged into the Howard Johnson airport motel, killing vacationing Wisconsin high school seniors and all the flyers. This newest tragedy was at Kenner, Louisiana, Ferrie's haunt when Piazza was a boy. Alvin Beauboeuf, Ferrie's assassination-day companion, then 19 years old, is his legal heir, a dubious honor.

Because he had been picked up with Ferrie on November 26, 1963, Martens could not avoid some public attention. Overshadowed by the others more violent and more vocal, he received less public attention until the Shaw hearing. During his cross-examination of Russo, F. Irwin Dymond asked if Martens had been Ferrie's roommate in 1963. It was true, of both Martens and Beauboeuf.

The day Judge Braniff ordered Novel's arrest, a grand jury subpoena was issued for Martens. Without federal denial, the newspapers said what the Secret Service reports of the time ardently denied, that the two younger men "were arrested by Garrison's men at the request of the Secret Service and the FBI on November 26, 1963. The charge was relative to vagrancy, under investigation of subversive activities."

In early March, Martens taped a television interview. It was held up, to be released to coincide with his grand jury appearance. In it he said that he had been questioned by Garrison's office twice and had undergone a lie-detector test. He was, he represented, the soul of cooperation. He said he too had met Ferrie through the Civil Air Patrol; they became good friends. Martens believed he knew all of Ferrie's

other friends. He had never heard of Clay Shaw or Clay Bertrand, or of Lee Harvey Oswald. In defense of his dead friend, he said he knew Russo and that Russo had a grudge against Ferrie. Russo had said he did not know Martens.

Anticipating what he must have known was inevitable, Martens expressed the hope that he would not be subpoenaed and his name "dragged through the streets" -- a reaction not quite in keeping with the public record, or with Martens's residence with Ferrie and participation in his activities; nor was it consistent with his own claim to have been Sergio Arcacha's second in command.

After the airing of the TV interview, Martens told reporters he was "cooperating now as I have consistently cooperated with the District Attorney's office. In my presence, my attorney was advised by the District Attorney's office that I am not suspected of any criminal activity whatsoever. The District Attorney is interested only in my knowledge of certain individuals in the case."

This claim is not supported by his testimony cited in the perjury charge made March 31, just two days later, in which he admitted that he had been present at what Garrison called the burglarizing of the Houma munitions dump.

Coinciding with indictment, Martens was on nation-wide television, where he was introduced as a music student, to protest that he had been nothing but truthful, and that he was being abused. The judicial injunction to silence in order to assure Shaw a fair trial was one-sided in observation. Garrison it inhibited only. Others could and did say what they pleased, and what they pleased always came out as part of a nationwide attack on the investigation.

Its most ostentatious form was a three-hour press conference on April 3 that the April 4 *States-Item* described as "more of a reception than a press conference." The court order suited Shaw's desires admirably: he could refuse to comment on the case while, martini-in-hand, he built his public image. The *States-Item* thought it worth a four-column-wide picture of a beaming Shaw surrounded by microphones and his happy attorney. Under the picture, the remainder of almost three entire columns was

on Shaw, all favorable and humanizing in the absence of indelicate references to whips and chains and black gowns and hoods: he could not comment on the case.

Thus was the ultimate selection of an impartial jury assured.

With the failure of the press to fulfill its traditional function and the continued willful failure of the government to investigate, there is too much about which we are still left in the dark.

There are names that appeared briefly and disappeared, like that of a 31-year-old Miami Cuban on parole, Emile Santana. Santana was flown to New Orleans February 14, returned, and reported missing by his parole officer. He then quietly reappeared at his place of work, the Standard Auto Bumper Corp., on March 8.

There is the "physically powerful and dangerous" Cuban the February 18 *States-Item* reported was being sought, Manuel Garcia Gonzalez, who is "believed to be one of a group of Cubans who reportedly hid behind a billboard in Dallas at the time of the motorcade. I hope some of the pictures the Commission, through the FBI, avoided and that I believe I will be responsible for bringing to light may show this, one way or the other. This man, according to the same newspaper, is now believed to have fled the country, one of the consequences of premature release of news of the investigation that others, including me, kept secret in order to try to prevent just this.

Garrison and some of his staff were in Miami early in the year looking for Gonzalez, equipped with a photograph. I understand they were within 30 miles of their quarry when he heard of the quest and disappeared. This man is believed to have been with Oswald on his handbill operation in the summer of 1963. In the London *Daily Telegraph* of February 19, Dominick Harrod quotes the Miami *Herald* as saying that this man was in the picture and also was behind the Dallas billboard.

In early March a number of papers again identified the behind-the-billboard Cuban as Manuel Garcia Gonzalez. It was also reported that Garcia Gonzalez received help from the Catholic Cuban Relief in New Orleans.

This name attracted transitory attention when Russo testified that at the party where the assassination was discussed he recalls two Latin-looking men named "Julien" and "Manuel." Immediately Shaw's counsel secured a subpoena for the Immigration and Naturalization Service records of Manuel Garcia Gonzalez and one Julien Buznedo, then reported living in Denver. George Lardner reported March 16 that Garrison had been seeking these two men since mid-January. They were not found.

Here again there was existing evidence connecting Oswald with other people -- left uninvestigated by the Commission. Liebel, who boasts of "thoroughness," asked about similar pictures and, having complied with the formalities in asking, was satisfied to learn nothing. Yet the resemblance between Dean Andrews's pungency of speech -- in referring to the man who could go to "fist city" and the Garrison object of search for the "powerful and dangerous" Cuban, is strong.

And still another official void. It involves the story that comes from several sources, that Ferrie delighted in dressing up his young men in green fatigues and helmet liners and marching them around as a sort of military male harem-to-be or would-be harem. Confirmation is in Russo's testimony. The Commission would have had Russo available as a witness had it conducted the most rudimentary but serious investigation in New Orleans. It could not have avoided Jack Martin had it wanted to, *if* it had really investigated, for he was the right hand man of Guy Banister, who likewise was ignored -- not a witness, not referred to Martin, too, told of the marching male marionettes; and had to be abused and defamed to protect Ferrie. Banister was then alive. His heart attack was fortuitous for the government, now that his involvement in the Cuban activities can no longer be suppressed, now that it is known the government knew about it and suppressed it.

Whether or not it made the papers or was of interest to Warren C deBrueys and the FBI, it is, nonetheless, a fact that Davis was well known to the other characters with leading roles in the story of Oswald in New Orleans. Davis and Arcacha lived but two blocks apart, in the Parkchester Apartments.

Davis knew Arcacha well; it was Arcacha who introduced him to Ferrie. Davis also knew Guy Banister and was, although again it was of no interest to the FBI, a witness to the famous Oswald handbill distribution. He stood on the corner and watched Bringuier break it up in the operation that helped Oswald establish his intelligence "cover."

Davis knew Oswald. He was introduced by Carlos Quiroga. Although the official documents, save for one, would indicate that Quiroga's attempt to "penetrate" Oswald's phony "Fair Play For Cuba Committee" was a one man effort, Davis acknowledges he did, in fact, accompany Quiroga. That one dissenting document -- found buried in the Archives -- was the report of a neighbor stating that once two men visited Oswald. Either deBrueys did not ask Davis about his participation or, as often happened with the FBI reporting of its inquiries, did not record it.

Had deBrueys done either, the files would show not the Bringuier nonsense that the camp was forced to close down because of the alleged espionage, but that earlier those who lived near it complained of the shooting and the owners of the property on which the camp was located were apprehensive because of the discovery of explosives so close to it. Davis was not secretive about these things; only the FBI and deBrueys were.

Were Ferrie's "soldiers" anything more? Maybe we will yet know.

On February 28 the Associated Press reported that

An unidentified man asking questions about Oswald was reported by employees of a hotel (in Mexico City) where Oswald stayed . . . Police sources in Mexico City said it would be "logical" for Garrison to check Mexico because of his probe into relations between Oswald and Cubans in Florida and other southern states.

There is no record that Oswald was ever in Florida. Remember the story of "The False Oswald"?

United Press International reported the same day that

In Mexico City, the newspaper *Novedades* said police have the names of at least 14 persons, including some US nationals, with whom Lee Harvey Oswald, the accused assassin, had "direct or indirect" contact.

What *Novedades* under the name of editor Daniel R. Nava, actually said adds point and excitement to the version of its story printed in the United States: Most of these 14 people were Cuban exiles, those least likely to be sought out by a genuinely pro-Castro Oswald. All of the news is not fit to print in the United States, if it is not in accord with official policy. It is not because journalistically worthwhile information was not available.

The Washington *Post* early understood where Garrison was going. Intending him and me no credit, it noted the 1965 assessment made in *Whitewash* that Cuban refugees were involved in the assassination. Few other papers noted or acknowledged the direction of Garrison's investigation.

One that did -- and then also did nothing except malign the critics of the Commission -- is the New York *Post*. In less than an inch and a half of the most inconspicuous type it said on March 16:

An essential part of Garrison's investigation has been centered on Cuban exiles who were trained in the New Orleans area by the CIA for the ill-fated Bay of Pigs invasion. Reportedly some of these Americans trained Cubans (sic) were believed by Garrison to have been in on the plot to kill Kennedy because of their disillusionment with the way the invasion was handled.

So, in April 1967, it still looks as though, if left to the federal government and the press, we will have only the official fraud of a "solution" to the assassination of John F. Kennedy. Garrison will have to overcome a multitude of hazards and obstacles; and those of us who believe more than the solution of a murder is involved will have to continue to bring the truth to public attention -- but the truth in a form that cannot be longer denied by the reluctant government or its lackeys.

Chapter 15

PRELIMINARY POSTSCRIPT FROM MIAMI

Two weeks before John Fitzgerald Kennedy was assassinated in Dallas a man sat in a Miami apartment and described how it could be done.

The man was an organizer for a States Rights party. And his conversation was being taped by the intelligence Division of the Miami Police Department.

The man said that a plan to kill the President was in the works. He said Kennedy would be shot with a high-powered rifle from an office building, and he said that the gun would be disassembled taken into the building, assembled, and then used for murder.

This is the beginning of a sensational and completely undenied or refuted story by Bill Barry in the *Miami News* of February 2, 1967.

It is not fiction. It reports an astounding parallel to what in the official account actually happened in the assassination. Of course, the newspapers immediately queried the Secret Service. Of course, it had no comment, its permanent refuge.

Barry's story continues:

They will pick up somebody within hours afterwards . . . just to throw The public off," he said.

The man told his tale on Nov. 9, 1963. He was talking to a police informer who was posing as a States Rights advocate. The tape of the conversation was given to the Secret Service. And the informer gave a statement to a Secret Service agent.

Two weeks later -- four days after President Kennedy addressed the Inter-American Press Association Miami convention on November 18, 1963 it all happened. Lee Harvey Oswald said, although denied his last say by the government, which edited it out, "I haven't killed anyone. I'm just a 'patsy,'" an echo from the tape-recorded Miami prediction.

In releasing this tape recording more than three years after the assassination, even though they had given it immediately to the federal government, Miami authorities said they did so because of the striking similarity between what the man said could happen" and the official version of what did, Barry

wrote. It seems a safe assumption that this belated decision was dictated not by the "similarity," then 38 months old, but by the knowledge Miami and federal officials had of the Garrison investigation.

Barry's story then said:

The intelligence agents say that the man was picked up and questioned by the FBI on Nov 27 -- five days after Kennedy died. Copies of the taped conversation have been in the Miami Police files ever since. Intelligence agents say they do not know what happened to the man captured on the tape.

On Dec. 10, he left his Georgia home on a Political trip which included a stop in Dallas. The informer says he had not seen the man since then . . .

The man in Miami who had predicted a method of assassination two weeks before it happened also said this: "He (Kennedy) knows he is a marked man."

The informer asked "They are really going to try to kill him?"

The man answered "It is in the working " . . .

The man in Miami had also named one man who was gunning for Kennedy. He said ". . . (he) is just as likely to get him as anybody . . . he tried to get Martin Luther King . . . he followed him for miles and miles, and couldn't get close enough to him."

The man he named was not Lee Harvey Oswald. He is a Klan leader from Tennessee. He was also working with Right Wing groups, trying to form a third American political party dedicated to the preservation of State's Rights.

The man talking in Miami described the Klansman as a member of the hardcore underground which had a taste for terror by bombing. The man said that the Klansman participated in the bombing of the Birmingham church in which several Negro children were killed.

The man said "If he wants to blow up the National Capitol, that is all right with me. I will go with him. But not as a party though, as an individual.

"After the conversation, and the way he talked to us, there is no question in my mind about who knocked the church off in Birmingham."

The man said he himself had been contacted by an underground chief in Delaware who had his eye on the Supreme Court Building in Washington. The man talking had worked on the construction of the building for three and a half years.

He said "He wanted me to give him the layout there so they could go over there and do some things there, you know. But he called it off . . . I was ready to go with him. I gave him the damn information he wanted."

The informer had traveled to Right Wing meetings with the man talking. He had told his police contacts that everywhere he went he had heard talk about the plans to kill John F. Kennedy. The President was coming to Miami on Nov 18. The police told the informer to get his friend to Miami, so they could "bug" his talk about assassination.

Sitting in an armchair in a cream-colored parlor in Miami on Nov 9, 1963, two weeks before the President was killed, the man said "Well, we are going to have to get nasty. We have got to be sitting on go, too. There ain't any countdown to it. We have just got to be sitting on go. Count down and they can move in on you. And on go they can't. Count down is all right for a slow, prepared operation. But in an emergency operation, you have got to be sitting on go "

The informer said: "I think Kennedy is coming here on the 18th, or something like that to make some kind of speech."

The man said "You can bet your bottom dollar he is going to have a lot to say about the Cubans, there are so many of them here."

The informer said "Yeah, he will have a thousand bodyguards. Don't worry about that "

The man said "The more bodyguards he has, the easier it is to get him."

"What?"

"The more bodyguards he has, the more easier it is to get him."

"Well, how in the hell do you figure would be the best way to get him?"

"From an office building with a high-powered rifle," the man said.

The informer said "Boy, if that Kennedy gets shot, we have got to know where we are at. Because you know that will be a real shake if they do that."

The man said: "They wouldn't leave any stone unturned there no way. They will pick up somebody within hours afterward. Just to throw the public off."

There was no talk about killing Kennedy with a bomb.

Sitting in the Miami apartment on Wednesday, Nov, 9, two weeks before the President was assassinated, the man talked on. Behind his chair were some small holes in the wall. Inside the holes were wires. The wires snaked through the wall to a box hidden on top of the refrigerator in the kitchen.

The box was the police tape recorder which was taking down the man's talk about assassination.

The President came to Miami on Nov. 18. Police Intelligence took extraordinary steps to guard the President's life. They insisted that he abandon the plan to take a motorcade from the airport to downtown. They put him on a helicopter instead.

The President left Miami in good health. It was Monday.

That Friday there was no count down in Dallas. Somebody was sitting on go.

The President was shot dead.

Bill Barry has told me that as soon as the President was killed, "the man who made the tape allegedly told the police informer: 'Well, it's been done. I told you it was gonna be done, so it was done.'"

Later, to Barry personally, he "denied ever making the tape or ever saying the things said on it."

Allan Dale, of Radio Station KOAI, San Antonio, Texas, has a tape-recorded "confession" given after the assassination that at my request he has given to Garrison. It was made with him by a man who overheard a similar plot and was silent, not really believing it.

This man, who identified himself to Dale, should remain nameless for he never expected the President to be killed.

He was in a Mexican bar, drinking with others of this organization. The story told in front of him is that the Mafia had been offered a "contract" on Kennedy -- i.e., a hired murder. It was "too hot" for the Mafia, so the Minutemen picked up the contract.

When Dale heard about the story he contacted this man, who is respected and in business "within 300 miles of San Antonio." He confirmed it in detail and on a recording. Dale's check of this man shows he has a good reputation and is exactly what he claims to be.

There is still another such story of the radical right volunteered to me by a total stranger. He phoned from California after reading *Whitewash* and offered to talk to me about the characters in The False Oswald. He claims to have known them. If he did not, he has made a remarkable study of them, for he provided the most intimate and accurate detail. I asked friends in California to speak to him for me because I could not then fly across the continent.

After initial contact, my friends enlisted the assistance of a former FBI agent who, in a second and longer meeting, did the questioning. This man involves the radical right very deeply in the assassination and with The False Oswald people and others he names. I consider it improper to divulge this in a book when there is no possibility of my checking it out in detail first and when there is little likelihood the people involved, if they can be found, will talk. But their silence or their apparent disappearance (West Coast friends of mine have undertaken a search) should not make them immune to questioning. I also believe such questioning should be official, so that the people involved will have the protection of the law and those questioning have its authority. Garrison now has this. Whether it is within his jurisdiction or capability, only he can decide, but the material would at least be in his files for the future use of other possible official proceeding.

There is nothing illogical in all of these people having had the same desires, nor is there improbability of their collaboration.

There is an obvious political affinity between the native radical right and their Cuban counterparts -- the affiliation of Ferrie and the other non-Cubans with the New Orleans Cubans came naturally.

The Secret Service had "no comment." The FBI had "no comment." In answer to what the tape recording released by the Miami police reveals, this can be interpreted as eloquent comment. When considered in connection with not just what the government says happened in Dallas, but also with what is suppressed from the Report of the Castro speech delivered publicly at the Inter-American Press Association in Miami three days before the assassination it can be interpreted as forecasting, the reticence of the Secret Service can have still more eloquence.

As we have seen, the Commission dignified and reprinted as "evidence" the false report of a Castro speech in which it knew the words attributed to him had never been spoken by him. It printed the entire fraud, with denial, for the use of the radical right, which ignored the denial and uses the fraud, saying Oswald had been in Cuba.

It does not print the speech Castro really did make. It does not print the speech made at the Inter-American Press Association meeting the day after the President spoke, the speech that certainly seems to have predicted the assassination. Nor does it print Castro's reference to it or to the wire service reports made before Castro's speech and which he quoted.

CONCLUSION

Whitewash: The Report on the Warren Report proves that the Report of the President's Commission was a whitewash. It does this with the Commission's own printed evidence, which invalidates or casts into serious doubt all of the major conclusions of the Report.

Whitewash II: The FBI-Secret Service Cover-Up proves that the FBI and the Secret Service did engage in a cover-up. It does this largely with the until then secret files of the Commission, with the documents of the FBI and the Secret Service. It leaves no doubt that there was such a cover-up and that the Commission staff lent themselves to it. It implies that it is the CIA that was being shielded. Both books indicate Oswald had CIA relations.

Oswald in New Orleans: CIA Whitewash shows that the CIA and its involvement in the assassination were whitewashed. It shows who did the whitewashing and how. It discloses much of the suppressed evidence and some of what was, not by accident, ignored.

At the end of a book, it is customary for the author to draw together all the contents and from this evidence state his conclusions.

The essential conclusion of this book is so simple that the title states it. The minor conclusions are explicit throughout and are too numerous to recapitulate. Should there be any who doubt that what did happen could have, as the professional doubters and apologists pretend, I ask that they draw their own conclusions from questions that cover part of the cited evidence. In each case the answers are obvious, unavoidable and unequivocal:

Is it believable that the FBI is incompetent and is rivaled in this by the Secret Service? Is it believable that J. Edgar Hoover does not know the business he invented, that he read all the reports and did not understand that they were not reports and did not account for real investigations?

Does one believe that Warren deBrueys was at the Cuban Revolutionary Council as part of his social life? That Orest Pena's complaints about deBrueys, twice made in person to the FBI office, once in

the presence of his lawyer, were not known to the Commission? Liebeler did not go into them, but what does that mean?

Does one believe that Wesley J. Liebeler, Professor of Law at the University of California, did not know what he was doing, for one minute believed that he conducted an investigation of Ferrie (or Albert Jenner with him), that he really investigated that handbill distribution by Oswald, that he made even a *pro forma* effort to find out who was with Oswald, that he did not know Dean Andrews's office had been ransacked with no valuables taken, just the files that might have held these otherwise unimportant records, that he did not know that Sam Monk Zelden would confirm Andrews's Commission testimony, and that the FBI did not know that Andrews *had* held and used a telephone repeatedly while it was reporting he could not?

Can one believe that Liebeler did not know of all the other characters around Ferrie and Oswald who should have been vigorously investigated and whose names are not in the interrogations he conducted? Can one believe that any competent lawyer can be satisfied with his interrogations and misuse of the evidence that was available -- not what the FBI *did not* get *but what the Commission had*?

Is it believable that Oswald, arranging for the purchase of trucks for the "Friends of Cuba," should have been ignored?

Is it believable that Liebeler did not know the whole story of this invasion training camp, the arsenals and the FBI raid, that his performance of his duties did not require this knowledge, that the information he put in evidence did not tell the story?

Is it believable that FBI Agent Wall did not know Guy Banister's detective agency was a detective agency that it was in the same building as the Cuban Revolutionary Council although he gave a different address for it, that he did not know what Banister was up to; is it believable that Wall did not know who Arcacha was without asking Banister, that he asked about Arcacha immediately after the assassination because he and the FBI believed there was no connection, that he did not find and severely question Arcacha because the Cuban Batistiano was not available, that he cannot conduct a better

investigation than he reports in 47 words, that he had to leave the mystery about who wanted to rent the former Cuban Revolutionary Council office as a mystery? Could Wall not have known that Oswald gave as a return address on pro-Castro literature the building that had housed the anti-Castro Cuban exile group and still housed its ally and associate Banister?

Is it believable that Oswald, the defector to the Soviet Union, got himself arrested in an ostentatious pro-Castro display and then asked for the FBI for no reason? Can one credit the FBI's explanation that this sort of request is made all the time?

Can one believe that there ever was any real investigation of David William Ferrie, intended or made? That those mockeries called reports, one of which Ferrie himself wrote, represent anything like an investigation or were ever intended to, or that the FBI did not know that Ferrie, friend of deBrueys' friends, attended the meetings deBrueys attended?

Can one believe it is only coincidence that deBrueys left his assignment in New Orleans when Oswald left New Orleans, was in Dallas when Oswald was there, and returned to New Orleans when Oswald was dead?

Can one believe that deBrueys for a moment believed the pap he reported about Rudolph Richard Davis and did not know before his "investigation" and "report" on it that his own FBI had raided that training camp and why? Or that he did not know the whole story of that camp and the people connected with it?

Can one believe that Liebel's interrogations of the extreme rightists, Walker and Bringuier, were serious, were anything but a mechanical gesture?

That the FBI could not get the police pictures in Dallas, could not remember to show the contemporaneous pictures to the Odio women and, instead, showed them pictures of young men taken as much as five years earlier? Or could not, as Garrison did, draw whiskers on - a picture of Oswald after Sylvia Odio described the repulsively bearded condition of "Leon" Oswald?

Can one believe the game played with Mrs. Odio about the beards is an accident or was an effort

to make identification difficult or impossible? Was it necessary, normal FBI operations?

Can one believe the FBI could not have learned more of the activities and associates of the men in the story of The False Oswald had it wanted to, that it never thought of asking the Odio women whether their entirely unnecessary "war names" could have been Alonzo rather than Angelo, or Lorenzo or Leovino rather than the improbable Leopoldo? Or that they did not recognize the signs that these men had been in New Orleans?

Can one believe that neither the FBI nor the Commission knew it had to investigate The False Oswald and find the men before the investigation was ended?

Can one believe that the FBI investigated Clay Shaw because it did not have reason to connect him with the assassination, and that it did investigate him for the Commission without the Commission's having a single file with his name, not a single one among the over-advertised 25,000 interviews? Or that he could have been investigated without knowing it?

Can one believe that it is just another accident that Orest Pena was set upon just the time he was going to report what he knew to me, and that it is just coincidence that this assault, to which no police responded when he called, followed threats? Or that his bartender, Evaristo Rodriguez was shot at only because there are lots of baddies around New Orleans, and not because he could make identifications, and that this attack too had nothing to do with previously made threats? And that none of this is connected to Pena's effort to make it known that FBI Agent Warren C. deBrueys regularly attended Cuban exile meetings?

Can one believe that the documents in the Commission's files which were omitted from its deliberations and suppressed from its Report and printed evidence, were expunged by accident, through a pervasive "sloppiness"?

Can one believe that "sloppiness" is a defense against the deficiencies of or errors in an official investigation of the murder of an American President?

Is it believable that it is accident or "sloppiness" that parts of files are in evidence and other parts

are not -- that it can be accidental that the real Castro speech quoting what may fairly be interpreted as a prediction of the assassination is not in the evidence but the inappropriate speech is, with the proof of its misinterpretation and misuse -- that it can be accidental those puerile pretenses of reports on the Cuban invasion camp that was raided were not printed when all the trash found ample space?

Can one think it an accident that the FBI expunged from its reports the right-wing extremist sponsorship under which Bringuier traveled and spoke, that it could not and in other cases would not have found him, even had it not known his day-by-day whereabouts, had it really been in a hurry to learn what the Commission asked of it?

Can one believe that a threat to kill a President is either some kind of "joke" or a "colloquial expression"?

Can one believe that Wesley Liebeler -- or the FBI and other federal investigators or the Commission and its staff -- had "only Truth for a client," or that they served it well?

Can one believe these things?

I do not and cannot believe an appreciable number of them are or can be accidental.

I believe they are part of the whitewash. Without them there could have been none.

I do not believe all these men are incompetents.

And I do believe they have wrought the greatest shame in our history, while shielding the CIA.

SHADOW OF A HAPPY ENDING -- AN EPILOGUE

My own investigations in New Orleans were fruitful, thanks entirely to the wonderful and friendly people I found there, people who were not afraid. Not that all or even most of the potential witnesses in Jim Garrison's investigation live without fear. Perhaps his major problem with witnesses is this fear, and the unwillingness of so many to risk involvement. That is still dominant in our country. Oswald's former Marine mate who phoned me in San Francisco has since been mute. Many who took pictures at the time of the assassination and whose pictures were of no interest to the FBI are not heard from, though pictures taken immediately before or after the firing may be of greatest value.

Any number of men and women in New Orleans who have important information are also silent. What I learned in my own investigation ranges from the trivial but interesting on up. My step-brother, Dr. Jack Kety, of Covington, Louisiana, just a little past the training camp site of the Lacombe-Mandeville road from New Orleans, had treated David Ferrie seven years earlier. Another Eastern Airlines pilot, one of Jack's patients, persuaded Ferrie to consult Jack about his hair loss. The problem, it turns out, was not caused by that romantic but undescribed accident, that "explosion," nor by the dripping of battery acids in a plane, as he told Garrison. The actual cause: an unromantic disease.

When the sex charges were entered against Ferrie, he stopped going to Jack. Until then he was suffering from *alopecia areta*. It was responding to Jack's science, and fuzz had started to grow back in the bald spots. Without proper attention, it degenerated into *alopecia totalu* and rendered him hairless.

Then there was Orest Pena. Bill Martin, an assistant district attorney who is fluent in Spanish, accompanied me when I interviewed Orest. Rightly or wrongly, as only the future can attest, we were both impressed by this new American's dedication to his new country. Others may be afraid, but not Orest. With Bill Martin's fluency in Spanish to overcome my unfamiliarity with Orest's accent, we learned more from this new citizen, who does not fear getting involved and I think thereby shows a concept of citizenship that should be the standard of those born to it. When we talked about FBI Agent

Warren deBrueys, Pena added the charge that, after he testified before Liebeler, deBrueys visited him at the Habana Bar. When Pena entered his place of business, he saw deBrueys sitting tensely, quivering. The FBI man, he says, threatened him. Although Pena is a slight man, he says he invited deBrueys outside. His invitation was not accepted.

"Take me before the grand jury!" Pena demanded. I will tell them everything I know. Bring the whole New Orleans press in!"

He was baffled when we sought to explain to him that the grand jury proceeding is and must be secret. I think he began to suspect us when we tried to explain that the integrity of the law and the rights of the individual require this. Our discussion began in his modest apartment above the bar, continued at the bar, and ended in the street in front of it several hours later. He was still, from his expression, dubious at our assurance there was a proper time for the press to be present, and that was in open court.

Less than a week after my departure from New Orleans, a few newspapers noted that Garrison had subpoenaed deBrueys and Regis Kennedy to appear before the grand jury. He will call more FBI agents.

The charm, beauty and individuality of the French Quarter, the ancient part of the city, is as the travel brochures assure. The decibel level is augmented electronically. Hard-faced and soft-bodied almost naked girls -- less naked than when Jim Garrison became district attorney -- undulate slowly from couches in the windows of Bourbon Street flesh, music and liquor emporia. The come-ons at other establishments are male. The cafe-au-lait at the other end of the Vieux Carré, at the French Market, where the street level is below that of the Mississippi and the ships from afar tower over the patios, is made as it was a century ago. It is served with the traditional square doughnuts, popover-like beignets, hollow but calorie-laden (at the Modern Call, modern only in its neon sign, one shakes the powdered sugar on these delicacies to his own taste from the now rare canisters that once were in every kitchen and on the counters of all the now vanished neighborhood bakeries).

In the early morning, late Spring sun, with tourists, merchants from the wholesale fruit and

vegetable stalls, sailors from afar and local stevedores a cosmopolitan mixture with those who just live in the Quarter and all sharing the delight of the at once delicate and lusty morning brew, gracefully and formally served by aging waiters who have spent their lives learning to handle shining, large, narrow-spouted pot of hot black coffee and hot milk simultaneously poured in just the blend each patron prefers, it is inconceivable to the stranger that this same picturesque relic of the past, still painted with the pastels so pleasing to the eye, can at night be a sink of iniquity to the "square" and a haven of freedom for the indulgences of the modern hippies, the swingers and those whose tastes in sex are nonconforming.

Even at night, with the narrow sidewalks unable to accommodate the perforce slow-moving throng of miniskirted women and neatly dressed men as peacefully they walk and talk, there is no overt suggestion that this is a nest of crime and vice. The stranger goes alone and safe during the hours of heavy traffic, dropping occasionally into the narrow streets clogged with one-way traffic when he has no choice. He goes unaware of the darkness of the deeds in the small, low buildings that are denied him.

If I avoid enlarging this book with the added detail of this personal investigation, it is not alone to speed its appearance. What has been most lacking since the first bullet splat into the late President is American law in action, the functioning of organized society. That, today, is represented by District Attorney Jim Garrison, "The Jolly Green Giant" to Dean Andrews. It is time for him to have his chance, uninhibited by the special needs and longings of writers as he takes to court that part of the story of the assassination he believes must be presented.

Garrison is an intense and outgoing man with a dedication to his responsibilities as towering as his frame. If only one incorruptible public official has assumed public responsibilities with the assassination, I believe Garrison is that one. On successive nights, I worked with him until one o'clock and left him still working. His office refrigerator held nothing but assorted brands and flavors of canned liquid dietary preparations, the only food he seems to take during the long days in his office.

From the rest of the world and the ends of our country reporters flooded into New Orleans in late

February and found Garrison accessible. He was flailed with his own frankness and widely ridiculed. The local newspapers, the *Times-Picayune* and the *States-Item*, according to local gossip, were out to "get" him I found their reporters the embodiment of the theoretical concept of American journalists and refreshing after long acquaintance with the professional sycophants, self-appointed spokesmen for the "establishment" and apologists for government. While hawking over Garrison with the questioning eye and mind that would have delighted Jefferson, who believed a free press more essential than organized government, they conducted their own incredibly professional investigations.

The morning I decided to check out the strange address notations in Oswald's address book, the only man I found in the courthouse building before seven o'clock aside from police was Reporter Jack Dempsey, credited in New Orleans with beginning the digging into Garrison's investigation.

After I testified before the grand jury, the first writer and "private investigator" to do so, and the New Orleans press decided that I considered the sanctity of its proceedings and the proper working of the law more important than selling books, they trusted me and revealed to me what Jim Garrison and all his competent assistant district attorneys and skilled investigators did not know, that they had organized a cooperative investigation of their own. That in those limited aspects duplicating my own it confirmed me was gratifying, but that they did it at all, after my earlier experience with the high-salaried literary finks, was a source of inspiration. Theirs is the true Pulitzer-Prize journalism.

Sam DePina of WVUE and Ross Yockey and Hoke May of the *States-Item* and *Times-Picayune* did what no big-city, big-name writers attempted. They proved and published the involvement of the CIA with the characters of Garrison's probe. In this they were joined by fellow reporters Rosemary James and David Snyder and by R. T. Endicott, political reporter in Columbus, Ohio, of the Dayton *Daily News*. How they succeeded is their secret which I preserve for them, for it is also a literary property they should not be denied.

The banner headline across the top of the *States-Item* of April 25, 1967, reads, "Evidence Links CIA to DA Probe." A subordinate streamer reads, "Novel Says Munitions Theft 'Set Up' by Agency."

Indications are that federal influence helped deny Garrison his witnesses and their testimony. Ohio officials found evasions and mechanisms they expressed in what amounted to a prior demand that the fugitive Novel be guaranteed immunity from not only prosecution but even from questioning about his role. Sandra Moffett McMaines, an unpleasant secret of whose past I also preserve, moved from Nebraska into Iowa, a state which does not honor the interstate criminal-witness compact. Is it merely accidental that in his flight Novel found sanctuary in Ohio and Sandra in Iowa, or is the long federal hand reaching out and moving Garrison's witnesses like pawns in an intelligence chess game?

The first sentence of this news story asks a similar question and the second answers it:

Do the long tentacles of the Central Intelligence Agency reach deep into Dist. Atty. Jim Garrison's Kennedy death plot investigation?

There is mounting evidence they do, and at least one Garrison probe figure intends to use CIA connections as part of his defense.

"Still others linked to the Garrison investigation," the story continues, "have been named as acting for the super secret espionage organization -- as informers, as couriers and munitions carriers."

Novel is quoted as having "told a number of friends and intimates he was a CIA operative and will use this role to battle Garrison's charges." Thus, from his own earlier quoted claims it can be inferred, if Novel did not die, that the CIA at one point had penetrated Garrison's office!

What at least one of the lawyers against Garrison has done without seeming to realize it is to acknowledge that the CIA is paying his fee. Novel, meanwhile, is quoted as claiming an even longer CIA association, going back to pre-Bay of Pigs days when he operated the Evergreen Advertising Agency as a CIA front. He claims to have spread cryptographic messages through coded radio commercials "used on 800 stations" in the United States and abroad. In late 1960 alone he placed \$72,000 worth of such radio time.

His CIA contact told him to join the group making the munitions heist, and the key to the bunker

was provided. Novel used his own car, a Lincoln, to supplement the capacity of the laundry truck that was used. Back in New Orleans, the ordnance was stored in Ferrie's home and Novel's and Banister's offices. In addition to explosives, there were land mines, rifle grenades and a kind of small missile.

The New Orleans reporters are working on another angle of this operation that involves the intelligence organization of a large European power. I preserve their confidence and will say nothing about it other than that its motivation was fascist.

When the entire story is disclosed, we may find one intelligence agency burglarizing another and more than one munitions theft.

Typically, Novel named Arcacha among his still-living associates and for the first time Arcacha had nothing to say, still secure in Dallas where public officials, having sheltered him from the first, were still not assisting Louisiana authorities.

If only nationally unknown reporters like those cited above could have covered the proceedings of the Warren Commission instead of the famous men so willing to be corrupted by the bribery of favored "leaks"! How different and more honorable our subsequent history might have been!

And so, after finishing my third book on this most unpleasant subject in which an American writer can immerse himself, I can for the first time report that, if belatedly, our society is beginning to function for the first time since the murder of the accused assassin. For the first time we who wrote books and articles from our own researches, investigations and analyses are joined by reporters given voice by their newspapers and radio and TV stations.

More important, the courts and the law are again working, through indefatigable, fearless and, I am confident, incorruptible New Orleans Parish District Attorney Jim Garrison and his staff of lawyers and investigators who work with the selflessness and dedication I find in him, without regard to hours or personal risk.

What we have lacked from the split-second of the first assassination bullet in Dallas on November 22, 1963, we may now get a judicial determination of fact by jury, in a proceeding conducted

in conformity with American law. Garrison's path has not the roses of the Commission's; it has only the thorns. As he faces a critical press, which the Commission never did, so also he must live and work in conformity with the law and its regulations. Unlike the Commission, he cannot adapt these essential controls to meet his needs as he conceives them. He cannot improvise rules for each special occasion, each succeeding new problem and emergency. As he is the representative of the law, so is he its servant, and within its strictures and protections of the accused he will be inhibited.

He will confront the other great lack of the federal inquiry, legal adversaries who are competent, imaginative and better armed than he, for our law is designed to protect the innocent and was fashioned with the concept that it is better for a hundred guilty to go free than for a single innocent to be wrongly convicted.

Shaw, Arcacha, Novel and all the others are presumed innocent by a law fashioned to make the establishment of innocence possible and that demands not that their lawyers prove them innocent but that Garrison prove them guilty, and beyond reasonable doubt. Garrison carries a burden no federal authority ever assumed. The legal and statistical odds are as stacked against him and his success, as is the might and influence of the federal power that is the invisible defendant in the New Orleans courtroom.

Even if he fails, as I believe he will not, he will have succeeded, for he has already taken the first official step down the road that can lead to the recapture of our national honor and the integrity of our institutions. His victory in court would be more than a conviction of the guilty, more than the indictment of the federal government for what it did and did not do when and after the President was murdered.

We do not have the right to demand or expect infallibility of public servants, from the President down. Our courts presuppose fallibility and error, and provide the mechanism for their correction. As Jesus could trust Judas, so also can American Presidents and attorney generals and the myriads of bureau chiefs and more common mortals under them err.

When our children do wrong, as parents we must explain to them wherein they are wrong and why and charge them with thereafter doing right. If we did not get this from the mature men of the

federal government when John Kennedy was murdered and they merely pretended an investigation of the murder, and if since then they avoided spontaneous self-examination of their own failings and transgressions, we can now, at last, take comfort that, even if unwillingly, government may have to face its shameful record; but with this ordeal, it will have the chance to recapture its honor and the respect that is not, as it seems to insist, its automatic due.

Through the long days of national shame and dishonor, the days of abdication and irresponsibility, when all those in whom our national integrity is vested were silent or worse, there were fewer than a corporal's guard of us seeking recapture of that integrity, so lonely and abused that only we who lived through it can expect each other to understand and feel its pain. The day can now be seen when, willingly or unwillingly, the government may say, "We did wrong. To the degree that we now can, we will rectify that wrong."

Then it will have earned the respect of men, here and abroad, and it will have begun to face the crisis in credibility that it made for itself. Then, perhaps more than would otherwise be possible, it will be worthy of respect and belief.

An the author of the first book on this most disagreeable subject and of the most extensive writing on it in scope and volume, I rejoice in the prospect.

In this. my third completed book on it, I may for the first time see the shadow of a happy ending.

OSWALD IN NEW ORLEANS

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Coolidge, Calvin,
Cooper, Mrs.,
Coporan, John,
Core, Jesse R., III
Core, Jesse R., Public Relations Firm,
Corinth Baptist Church,
Corrick Hotel,
Cosimols,
Costa Rica,
Costa Rican Embassy,
Costello, Bud,
Costello, Frank,
Cotham, Robert,
Counts, Roger D.,
Cowan,
Cratches, Alice Carey, *see* Carey, Alice
Crawford, David,
Creedmoor State Hospital,
Crescent City Garage,
 see also Alba, Adrian
Crestview Apartments,
Crestwood Apartments,
Crime Against Cuba, The,
Critcher, Robert,
Crone's Bar,
Crouch, A. C.,
Crouch, Paul,
Crowley, James D.,
Crus, Miquel, *see* Cruz, Miguel
Crusade to Free Cuba Committee,
Cruz, Angela,
Cruz, Claudio, Jr.,
Cruz, Claudio, Sr.,
Cruz, Enrique,
Cruz, Hordensia Maria,
Cruz, Ina Josefa,
Cruz, Maria Teresa,
Cruz, Miguel Mariano, Cugat, Xavier,
Cruz, Olga (Mrs. Enrique),
Cruz, Olga (Mrs. Paul),
Cruz, Paul,

Cruz, Victoriana (Enriquez),
Cruzal, Hendel,
Cryder, William (Bill),
Cuba, 18
 federal police
Cuba Missile Crisis
Cuban Catholic Committee of Dallas,
Cuban Consulate (Los Angeles),
Cuban Consulate (Mexico),
Cuban Democratic Revolutionary Front,
Cuban Embassy, Mexico City,
Cuban Exiles Student Revolutionary Group,
Cuban Freedom Committee,
Cuban Intelligence Service,
Cuban Refugee Center,
Cuban Relief Committee,
Cuban Report, The,
Cuban Resistance Group,
Cuban Revolutionary Association,
Cuban Revolutionary Council
Cuban Revolutionary Front,
Cuban Revolutionary Society, *see* Cuban Revolutionary Council
Cuban Student Directorate,
Cuban Embassy, Mexico City,
Cuban Exiles Student Revolutionary Group,
Cuban Freedom Committee,
Cuban Intelligence Service,
Cuban Refugee Center,
Cuban Relief Committee,
Cuban Report, The,
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Cuban Revolutionary Association,
Cuban Revolutionary Council
Cuban Embassy, Mexico City,
Cuban Exiles Student Revolutionary Group,
Cuban Freedom Committee,
Cuban Intelligence Service,
Cuban Refugee Center,
Cuban Relief Committee,
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Cugat, Xavier
Czechoslovakian Embassy,

DRE, *see* Directorio Revolucionario Estudiantil (Cuban Student Directorate)
Dabbs, Charlie,
Daily Telegraph (London),
Dale, Allan,

Dallas, 5, 9, 12, 17,
Dallas County Government Center,
Dallas County Sheriff's Office,
Dallas District Attorney,
Dallas Police Department, 3, 5-6, 9, 20,
Dallas T-1
Dallas Trade Mart,
Dallas University,
Dangerous Drug Law,
Danielson, W. J., Jr.,
Das Kapital,
Davelle, Robert E.,
Davis, Henry,
Davis, Preston M.,
Davis, R. M., *see* Davis, Preston M
Davis, Ricardo,
Davis, Richard, Jr.,
Davis, Richard R., Jr.,
Davis, Rudolph Richard, Jr.,
Davis, Rudolph Richard, Sr.,
Dayman, Frank J.,
Dayton *Daily News*,
Dealey Plaza, 5,
DeBrueys, Warren C.,
DeCanal, Manolo,
Deck, Lloyd G.,
DeDual, George,
Deetjen, Jose M.,
de LaBarre, Frank,
de LaBarre, Gus,
de la Vega, Benjamin,
Delgado, Nelson,
Delgado, Sacario,
Delgado Trade School,
Delgado, Yrada Sosa,
Delprado,
Delta Air Lines,
Delta Building,
Delta Mercury, Inc .,
DeMar, Bill,
De Mohrenschildt, George,
De Mohrenschildt, Jeanne,
Dempsey, Jack,
de Pena, Irazda Delgado,
DePina, Sam,
de Rodriguez, Maria Rodas,
Deslatte, Oscar W.,
Desselle, Jim,
Dial, Shirley,
Diario Las Americas,
Diaz, Raul,

Diaz-Silveirs, Anna,
Diebold, Henry A.,
Dies, Martin,
Dinkin, Eugene,
Directorio Revolucionario Estudiantel, *see a/so* Cuban Student Directorate
Dixie Brewing Co., Inc.,
Dixie Hotel,
Dixie Laundry,
Dixie Washateria,
Dolan, Joe,
Dombroski, James,
Dominican Republic,
Donahue, Phil, 15,
Donnally, Eugenia,
Donovan, John E.,
Dorticos, Oswaldo,
Doughty, George M.,
Doveri, Mary,
Downing, Mrs.,
Downing, Dorothy,
Doyle, J. Pat.,
Doyle, Jim,
Driftwood Motor Hotel,
Drums of War,
Dugger, Ronnie,
Dulles Airport,
Dulles, Allen W.,
Dupuis, Ella,
Dupuis, Larry J.,
Duran, Silvia,
Durand, Eleanor,
Dwyer, Paul,
Dymond, F. Irvin,

ESAL, *see* East Side Airlines
Eagle Squadron,
Eames, Alexander E.,
East Berlin,
East Jefferson High School,
East Side Airlines,
Eastern Airlines,
Eastland Committee,
Eastland, James O.,
Eddie's Hotel,
Edelson, Doug,
Edwards, Edwin,
Efrain,
Ehara, J,
Ehlinger, Rancier Blaise (Ronny),
Einspruck, Bruton C.,
Eisenhower, Dwight D., 5,

El Tiempo,_

El Tigre,

El Toro Marine Air Station,

Ely, John Hart,

Endicott, R. T.,

Engelbrecht, Betty,

England,

Epstein, Edward J.,

Equitable Life Assurance Society,

Ervin, William C.,

Escurido, Alonzo, *see also* Howard, Lawrence

Estopinal, Lionel,

Eugenio,

Europe,

Evans, Calvin W.,

Evans, J.,

Evans, John Stewart,

Evergreen Advertising Agency,

Exchange Club,

Executive Order 11130,

Exhibit No. 825,

No. 835,

No. 864,

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No. 869,

No. 1410,

No. 1411,

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No. 1444,

No. 1931,

No. 1942,

No. 2542,

No. 2543,

No. 2544,

No. 2545,

No. 2548,

No. 2896,

No. 2899,

No. 2900,

No. 2901,

No. 2943,

No. 2952,

No. 3094,

No. 3104,

No. 3108,

No. 3119,

Bringier No. 1,

Lee DE 2.4,

Pizzo 453-A,

Pizzo 453-B,
Pizzo 453-C,
Stuckey No. 3,
FAA, see Federal Aviation Agency

FBI, see Federal Bureau of Investigation
FPCC, see Fair Play for Cuba Committee

Face the Nation,

Fain, John W.,

Fair Play for Cuba Committee, 18,

Faires, O. Joe,

Fairy,

Falstaff Brewing Co.,

Farry, Mr., 12-13,

Federal Aviation Agency,

Federal Barge Lines,

Federal Bureau of Investigation,

agents, see Alker, Paul; Belmont, Alan H.; Bernard, Julius A.; Brown, Arnold J.; Brown, Leon F.; Brown, William S.; Bucaro, Richard; Buckley, David V.; Burnett, Richard J.; Callender, Stephen M.; Danielson, W. J., Jr.; deBrueys, Warren C.; Ervin, William C.; Evans, Calvin W.; Fain, John W.; Faires, . Joe; Folse, Lawrence F.; Gaskell, Leon; Gamberling, Robert P.; Harrigan, Kevin J.; Hassell, Earl L.; Heitman, Wallace; Hoover, J. Edgar; Horton, Ural E., Jr.; Hosty, James P.; Ingram, James .; Jensen, Reed W.; Kaack, Milton R.; Karl, Robert H.; Kennedy, Regis L.; Lee, John B., Jr.; Logan, Richard E.; McCarthy, John M.; McCauley, William J.; McDonald, William F.; McGuinness, Thomas, Jr.; Micek, August J.; Oakes, John C.; O'Brien, Francis J.; O'Connor, James J.; Odum, Bardwell D.; O'Flaherty, John James; Pack, James Royce; Phillips, Max; Pittman, Eugene P.; Propst, Norman W.; Quigley, John Lester; Reynolds, John T.; Riordan, James R.; Schlaeger, Carl L.; Schlager, Claude L.; Steinmeyer, Donald C.; Sylvester, Joseph; Viater, Theodore R.; Wall, Ernest C., Jr.; Whidbee, Harry H.

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field offices,

Dallas,

Los Angeles,

Miami,

New Orleans,

New York,

Oklahoma City,

Phoenix,

Portland,

files,

DL44-1639,

DL89-43,

DL100-10461,

LA89-75,

LA105-15823,

MM105-8342,

NO58-69,

NO89-69,

NO44-2064,

NO100-16601,
NO105-1095,
NO105-1529,
NY105-38431,
OC89-41,
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Portland 44-225,
Laboratory
Federal Records Center,
Feldshon, Lester,
Fernandez, Fernando,
Fernandez Barcena, Fernando Jose,
Fernwood Hotel,
Ferre, Maurice,
Ferrer,
Ferrer, Armanda Gonzalez,
Ferrer, Kiki,
Ferrie, David William,
Ferris, *see* Ferrie
Ferror,
Ferror, Kiki,
Field and Stream,
Files, Commission,

Finland,
First Evangelical Methodist Church of America,
First Federal Savings and Loan Association,
Fitzpatrick, Monsignor,
544 Camp street,
Flato Hotel,
Fletcher, Lee,
Fliegers, Serge,
Florida State's Attorney,
Folse, Lawrence F.,
Ford, Gerald,
Forgive My Grief,
Fornes,
Fort Sydney Motor Hotel,
Fox, Arnold,
France,
Frank,
Frazier, Buell Wesley,
Frazier, Willie,
Free Cuba Patriotic Movement,
Free World, The,
French Quarter,
Frente Revolucionario Democratico,
Frey, Robert M.,
Friends of Cuba,
Friends of Democratic Cuba,
Frondizi, Arturo,

Fulton, Jim,
Furr, Lloyd B.,

GRU,
Gaillot, William,
Gannaway, W. P.,
Garcia Banon,
Garcia, Hector Jose,
Garcia, Lance A.,
Garcia Gonzalez, Manuel,
Gardner, Vivian,
Garner, Jesse J.,
Garner, Mrs. Jesse J.,
Garrison, Jim,
Garth, Edith,
Gaskell, Leon,
Gaslight Bar,
Gavzer, Bernard,
Gay, George S.,
Gemberling, Robert P.,
General Services Administration,
Georgian Hotel,
Geraci, Mrs.,
Geraci, Philip, III
German government,
 Library of Information,
 people,
Germany,
Gerrets, Anthony E.,
Gervitch, Bill see Gurvich, William
Giarusso, Joseph I.,
Gil, Manuel
Gill, G. Wray
Gillmore, Billie,
Goldberg,
Goldwater, Barry M.,
Gongora, Pascual Enrique Ruedolo,
Gonzalez, Manuel Garcia,
Gonzalez, Pedro,
Goodman, David,
Gould, Clay,
Government Printing Office,
Grace Line,
Graham, Charles,
Grassy knoll,
Graves, Esley,
Gray, Mr.,
Gray, Barry,
Greater New York Credit Bureau,
Green, Major,
Greener, Charles W.,

Gregory, Mrs. Blaine,
Gregson, Ted,
Greyhound Lines,
Grimader, Carlos J.,
Grimaldi, *see* Grimader, Carlos
Grusich, Wilfred A., Sr.,
Guatemala,
Guatemalan Lumber and Mineral Corporation,
Guevara, Che,
Guidebook for Marines,
Guidry, Leon,
Guidry, Mrs. M.,
Guitart, Augustin,
Guitart, Helen,
Gurvich, William,
Guthrie, Forrest G.,
Gutierrez, Francisco,
Habana Bar and Lounge,
Hackenjos, Charles,
Haggerty, Edward A.,
Hahn, Judy,
Hall, Geneva,
Hall, Loren Eugene,
Hall, Lorenzo,
Hallmark, Claude Garnett,
Hamm, Kyle,
Hands Off Cuba,
Hargis, Billy James,
Harrigan, Kevin J.,
Harrod, Dominick,
Hassell, Earl L.,
Havana, University of,

Hawaii,
Haydel,
Haydel, Alex James,
Haydel, James Abner,
Haydel, R. J., Jr.,
Haydel, Roger J., Sr.,
Hayward, Frank, oo,
Heywood, F,
Healey, Jeremiah,
Hearst Headline Service,
Hearst publications,
Heckman, A.,
Heindel, John R.,
Heitman, Wallace,
Hellinghausen, F. A.,
Helms, Richard,
Henry, Patrick,
Herald Wire Services,
Herman, George,
Hernandez, Celso Macario,
Hernandez, Maria de Valero,
Hernandez, Maria de Los Angles,
Hernandez, Nicholas Pablo,
Hernandez, Teresita,
Herrera, Guillermo,
Hetherington, Gloria,
Henron, John F.,
Hevron, L. N.,
Hidell,
Hidell, A.,
Hidell, A. J.,
Hidell, A. T.,
Hidell, Alek James,
Hidell, Alex,
Hidell, Alex James,
Hidell, Robert,
Hitler, Adolf,
Hoch, Paul,
Holiday for Murder, A,
Holiday Inn,
Holiday Inn Motel,
Holloway Smith Hall,
Holmes, Harry D.,
Holy Land,
Hong Kong,
Hoover, J. Edgar,
Hoppe, Jacob,
Horton, Nyles,
Horton, R. E.,
Horton, Ural E., Jr.,
Hosty, James P.,

Hotel Dieu Hospital,
Hotel Elton,
Hotel, Motel and Restaurant Employees Union,
Hotel Oubre,
Houston *Chronicle*,
Houston *Post*,
Howard, Lawrence John, Jr.,
Howard, Lorenzo,
Howard, Rose,
Huber, John, Jr.,
Hudkins, Alonzo,
Hudspeth Steel and Manufacturing Company,
Hunter, Gertrude,
Hurst, H. Peyton,
Hutton, Arthur E.,

IAPA, *see* InterAmerican Press Association
INCA, *see* Information Council of Americas

INS, see Immigration and Naturalization Service
I.T.E. Circuit Breaker Company
Iberian Airlines,
Idlewild Airport,
Immigration and Naturalization service,
Imperial Hotel,
India,
Infante Ledea, Henry,
Information Council of the Americas
Ingram, James O.,
Insua, Joaquin,
Insua, Marcella,
Inter-American Press Association,
Interian, Leodovino,
Interian, Leovino,
Internal Revenue Service,
International House,
International Trade Mart,
Iraq,
Isaac Detective Agency,
Isquerivo, Hector,
Israel, Leon, Coffee Co,
Italy,
Ivon, Louis,
JURE,
Jack,
Jackson Brewing Co.,
Jacobs, Irwin,
Jamaican Village,
James, Henry,
James, Jesse,
James, Rosemary,
James, William,
Japan,
Jarvis, Armanda,
Jarvis, Jimmy,
Jax Brewery,
Jefferson Parish,
Jefferson, Thomas,
Jenkins, Mahlon,
Jenner, Albert E., Jr.,
Jensen, Reed W.,
Jesuit Seminary,
John,
Johnson,
Johnson, Haynes,
Johnson, Leo,
Johnson, President Lyndon B.,
Johnson, Marion,
Jcnes, Douglas,
Jones, Louise,

Jones, Penn, Jr.,
Jones Printing Company,
Jose Antonio,
Josoff, James M.,
Juarez, Jose,
Julien,
Jung Hotel,
Junta Revolucionaria, *see* JURE

KCBS,
KGB,
KNEW,
KOAI,
Kaack, Milton R.,
Kansas City University,
Karl, Robert H.,
Kasuga & Co., Ltd
Katz Apartments,
Keiser and Company,
Kelley, Thomas J.,
Kelly, Elitha,
Kennedy Administration,
Kennedy, President John F.

 assassination,
 foreign policy,
 Kennedy, John F., Airport,
Kennedy, Regis L.,
Kennedy, Robert F.,
Kennon, Robert F.,
Kerr, David J.,
Kety, Jack,
Key Records,
Khrushchev, Nikita,
Killeen, Mr.,
Killqore, Joseph B.,

King, Martin Luther,
King Davis Company,
Kirby, Carlos L.,
Klein, Frank,
Kohlman, Norman S.,
Krafft-Ebing,
Krebs, J. J., & Sons,
Kroll Associates,
Kruschev, *see* Khrushchev
Ku Klux Klan,
Kulik, Elizabeth,
Kunkel, Charles,
Kurzman, Dan,

Labar Walhend, Gus,
LaBiche, Albert V.,
Lacaza, John,
Lacaza, Patricia J.,
Lacey, Dennis,
Lakefront Airport,
Lakewood Building,
Lamont, Corliss,
Landry, Al,
Lanusa, Jose Antonio, *see* Lanuza
Lanuza, Jose Antonio Gonzalez,
Laos,
La pham, M. E.,
Lardner, George, Jr.,
Larry,
LaSalle Hotel,
Latitudes,
La Violette, Forrest Z.,
LeBranc, Charles Joseph,
Lechuga, Carlos,
Lee, John B., Jr.,
Lee, O. H.,
Lee, V. T.,
Lee, Vincent Theodore,
Leon,
Leonardo,
Leopoldo,
Leovino,
Levy, L. C.,
Lewis, David W.,
Ley, Evelio,
Liberty Hotel,
Liberty, Statue of,
Liebeler, Wesley J.,
Liebler, Wesley J.,
Link, Mrs. Eugene,
Logan, Richard E.,

Logue, Lester,
London,
London *Daily Mail*,
Long, Russell,
Lorenzo,
Los Angeles *Herald Examiner*,
Los Angeles *Times*,
Louisiana Coffee Company,
Louisiana Department of Labor,
Louisiana State Employment Service,
 Police,
 Unemployment Agency,
 University,
 Supreme Court,
Love Field,
Loyola University,
 Law School,
Lynnhurst Hotel,

MDC, *see* Christian Democratic Movement
MIRR, *see* Movimiento Insurreccional de Recuperacion Revolucionaria
MM-T-1,
MRP, *see* Movimiento Revolucionario del Pueblo
Machann, Father Walter, *see* McChann
MacHann, Father Walter, *see* McChann
Mac's Discount House,
Madden, Marcelle,
Mafia,
Magyar, David Pearce,
Mailers Service Company,
Main Post Office, New Orleans,
Maison Blanche Building,
Manchester, William,
Mancuso,
Manuel,
Marachini, Dante,
Maranatha Baptist Church,
Marcello, Carlos,
Mariner Hotel,
Maritime building,
Marlow, James,
Marquez Sterling, Carlos,
Marquis de Sade,
Marshall, John A.,
Martel, S. P., Auditorium,
Martello, Francis L.,
Martens, Layton,
Martin (FNU),
Martin, Ben,
Martin, Bobbie,
Martin, Jack,

Martin, Jack S.,
Martin, Mrs. Jack S.,
Martin, Jack W.,
Martin, John,
Martin, Juan,

Martin, Shirley,
Martin, Thelma,
Martin, William (Bill),
Martons, Patrick L. ,
Mary, Karl,
Masferrar, *see* Masferrer
Masferre, Rolando,
Masferrer,
Masferrer, Kiki,
Masferrer, Rolando,
Masonic Temple Building,
Massarini, Thelma,
Maximilian, Eugenio,
May, Hoke,
Mayes, Merle,
Maynor, Kenneth,
McCarthy, Helen,
McCarthy, John M.,
McCauley, William J.,
McChann, Father Walter J. (NOTE: Correct spelling is Machann),
McClelland, Robert N.,
McCloy, John J.,
McCone, John A.,
McCune, Leo W.,
McDonald, William F.,
McGee, Irene,
McGuinness, Thomas, Jr. ,
McGuire, Mrs. Alvin,
McHugh, Joseph R.,
McKann, *see* McChann
McKeithen, John J.,
McLaney, Mike,
McLaney, William Julius,
McLaughlin, E. J,
McLaughlin, Mrs. E. J.,
McMaines, Harold,
McMaines, Lilly Mae, *see* Moffett, Sandra
McVey, Aleta,
Medina, Jorge,
Medina, Maria Del Carmen,
Meller, Anna (Mrs. George),
Meller, George (Teofil),
Memorial Park, Dallas,
Men Without Women,
Menendez, Pepe,
Merino, Adolfo G.,
Metairie Grammar School,
Metro Hotel,
Mexican,
Mexican Consul, New Orleans,
Mexican government,

Mexico,
Miami,
 District Attorney,
 Police Department,
Miami *Herald*,
Miami News,_The,
Micek, August J.,
Michoud Plant,
Midlothian *Mirror*
Military Order of the World Wars,
Milla, Joseph,
Miner, Don,
Minutemen,
Mitchell, Donald,
Moisant Airport,
Moffett, Sandra,
Mollar, Pete,
Monahan, William .,
Monteleone, Billy,
Monteleone Hotel,
Monteleone, William A.,
Monteleone, William E. (Billy),
Monterey Motel,
Montgomery, Emmett,
Moore, J. B,
Moore, Joseph,
Moran, Robert Lee,
Morgan, Harv,
Morning News (Dallas),
Morrow, Hubert A.,
Mosby,
Mt. Eagle Folk school,
Mt. Whitney Lumber Company,
Movimiento Democrata Cristiano,
Movimiento Insurreccional de Recuperacion Revolucionaria,
Movimiento Revolucionario del Pueblo,
Mulholland, Bob,
Murat, *see* Murratt
Murret,
Murret, Mrs.,
Murret, Mrs. Charles, *see* Murrett
Murrett,

Murrett, Mrs. Charles (Butz),
Murrett, Charles,
Murrett, Jean,
Murrett, John,
Murrett, Mrs. John,
Murrett, John Bogie,
Murrett, Marilyn,
Mutual Broadcasting System,

NBC, *see* National Broadcasting Company
NBC Building,
NBC News,
NOAC, *see* New Orleans Athletic Club
NOCPA, *see* New Orleans Council for Peaceful Alternatives
NO T-1,
NO T 2,
NO T 3,
NO T 4
NO T 5
NO T 6
Naishall, Steve,
Nassau,
National Archives,
National Bank of Commerce Building,

National Broadcasting Company,
National Chemical and Manufacturing Company,
National Enquirer,
National Guardian, *The*
National Liberation Front,
National Maritime Union,
Nava, Daniel R.,
Naval Intelligence, Office of,
Neeley, Isaac Delores,
Nelson, Babyface,
Nelson, Jack,
New Orleans,

New Orleans Police Department (continued)

City Hall,

Criminal District Court,

District Attorney

see also Orleans Parish District Attorney; *see also* Alcock, James L.; Comstock,
Raymond; Garrison, Jim; Ivon, Louis; Klein, Frank; Kohlman, Norman S.; Martin,
William; Ward, Charles

Municipal Court

Police Department,

Detective Division,

Identification, Bureau of,

Intelligence Division,

Narcotics Squad,

Records Division,

Traffic Division,

Vice Squad,

see also Arnold, James; Austin, Horace J.; Bacon, Roger; Becker, John J.;
DeDual, George; Dwyer, Paul; Estopinal, Lionel; Frey, Robert M; Gaillot, William;
Giarusso, Joseph I.; Gregson, Ted; Grusich, Wilfred ., Sr.; Hayward, Frank;
Haywood, F.; Madden, Marcelle; Martello, Francis L.; O'Sullivan, Frederick S.;
Roberts, Warren; Soule, Frederick; Trosclair, Presley J., Jr.; Wilson, Frank

New Orleans Athletic Club,

New Orleans Bank of Commerce,

New Orleans Better Business Bureau,

New Orleans Committee for Peaceful Alternatives,

New Orleans Council for Peaceful Alternatives,

New Orleans Credit Bureau,

New Orleans Criminal Bar Association,

New Orleans International Airport,

New Orleans *Item*, *see States-Item*

New Orleans Junior Chamber of Commerce,

New Orleans Life Insurance Company of the South,

New Orleans Press Group,

New Orleans Public Library,

New Orleans Public Service, Inc.,

New Orleans Retailers' Credit Bureau, Inc.,

New Orleans *States*, *see States-Item*

New Orleans Telephone Company,

New York,

New York, Airways,
New York, City Police Department,
New York, Telephone Company,
New York, *Daily News*,
New York, *Journal American*,
New York, Life Insurance Company,
New York, Port Authority Terminal,
New York, *Post*,
New York, *Times*,
New York, Welfare, Department of,
New York, *World-Journal-Tribune*,
New Zealand,
Newbrough, William L.,
Newman Building, *see* 544 Camp Street
Newman, Sam Mike,
News media,
 electronic,
 press,
Newsweek,
Nhu, Madame,
Nicaragua,
Nichols, Dr.,
Nichols High School,
Nichols, Louise,
Nieman Marcus Department Store,
1984,
1930 Hotel, The,
Nixon, Richard,
Noble, Thomas,
Nolen, Eugene,
*Novedades*_(Mexico City),
Novel, Gordon,
Nuessly, Arthur B.,

OEA, *see* Organization of American States
Oak Cliff Baptist Temple,
Oakes, John C.,
Oakland (California) *Tribune*,
O'Brien, Francis J.,
O'Brien, Lawrence,
Occidental Life Insurance Company,
O'Connor, James J.,
Odio,
Odio, Amador,
Odio, Annie Laurie,
Odio, Sara,
Odio, Sarita,
Odio, Silvio,
Odio, Sirato,
Odio, Sylvia,
O'Donnell, Kenneth,

Odum, Bardwell D.,
O'Flaherty, John James
O'Hara, Malcolm V.,
O'Hari (see Ehara),
Old Civil Courts Building,
Old Clurts Building,
Omaha,
Ordas Cantrera, Maria Irene,,
Organization of American States,
Orleans Parish,
District attorney (see also New Orleans District Attorney),
Orlesh, Joseph M,
O'Rourke, Junior,
Orwell, George,
Osborne, Lee,
Osburn,
Osmaya, Gustavo,
O'Sullivan, Frederick S.,
Oswald,
Oswald, False,
Oswald, Harvey,
Oswald, Hazel,
Oswald, John,
Oswald, John Lee,
Oswald, Jules J.,
Oswald, Julius J.,
Oswald, June Lee,
Oswald, Lee,

Oswald, Lee Harvey,
Oswald, Leon,
Oswald, Leon,
Oswald, Margaret,
Oswald, Margarete,
Oswald, Marguerite Claverie,
Oswald, Marina,
 protective custody,
Oswald, Norman,
Oswald, Robert,
Oswald, Robert Lee (brother),
Oswald, Robert Lee (father),
Oswald, Thomas,
Oswald, W. S.,
Oswald, William Q.,
Oswald, William S., Jr.,
Oswald, William Stout,
Our Lady Help of Christians,
Outdoor Life,
Ozanam Inn,

Paese_Sera,
Paine,
Paine, Ruth,
Pan American Films,
Paneque Batista, Victor,
Pap's Supermarket,
Parade,
Parent, Betty,
Parkchester Apartments,
Parker, Charles T., Construction Co.,
Parkland Memorial Hospital,
Parks, P. M.,
Parrel, George F.,
Pascillo, Lorenzo,
Paterni, Paul J.,
Patin Hotel,
Payne, *see* Paine
Pearce, Maria del Carmen,
Pearson, Drew,
Peck, James Royce,
Pelaez, Maria Gertrudis,
Pelaez, Rolando,
Pellack, Carl A ,
Pena, Orest (Orestes),
Pena, Mrs. Crest,
Pena, Ruperto Jeronimo,
Pena-Alfonso, Ruperto Jeronimo,
Pennsylvania, University of,
Pentagon,
Pere Marquette Building,

Pereira Acosta, Evidio,
Peterson, Lefty,
Philadelphia District Attorney,
Philip Rooming House,
Phillips, Max,
Piazza, George, Jr.,
Piazza, Paul,
Pic, Eddie,
Piedra, Orlando,
Pisciotta, Joseph,
Pittman, Eugene P.,
Plaza Hotel,
Plotkin, Steven R.,
Poland,
Police, federal,
Polish Acts of Atrocity Against the German Minority in Poland,
Polish people,
Portell-Vila, Herminio,
Portland,
Portrait of the Assassin,
Post Office Box 30061,
Powell,
Powell, William Frank,
Power, Julio,
Powers, Francis Gary,
Praskin,
President of the United States,
 Johnson, Lyndon B.,
 Kennedy, John F.,
Press Wireless,
Prieto, Henry (see Fernandez, Fernando),
Propst, Norman
Pross, Marina,
Prosse, Marino,
Prossakaya, Marino,

Quality Flower Shop,
Quarito (see under Castro Alba),
Quarles, G. C.,
Queen, M. L.,
Quigley, John Lester,
Quiroga, Carlos,

R. J.'s Electrical Service,
Rabel, Luis (see Ravel, Luis),
Radio Havana,
Rainbow Motel,
Rankin, J. Lee,
Raul,
Ravel, Luis (see Rabel, Luis),
Ray, Manolo,

Reab, J. L.,
Reagan, Ronald,
Realpey sisters,
Realpey-Plaze, Marguerite,
Recivitch, Harve,
Recivitch, Johnson, Wegmann and Mouledoux,
Redmann, William,
Reily, William B., III,
Reily, Wm. B., Coffee Co., Inc.,
Reimherr, E. A.,
Reisman, Leonard,
Reissman, Leonard, (Dr., Tulane University)
Reissman, Leonard,
Retail Credit Company,
Retailers Commercial Agency, Inc.,
Revill, Jack,
Rey, Manuel (see Ray, Manolo),
Reynolds, John T.,
Reynolds, Warren,
Rhyan, Lillian L.,
Riccardo, Connie,
Rice, John W.,
Richards Building,
Richter, Robert,
Rico, Mrs. Louis N.,
Riegiala-West Grammar School,
Rigby, Marjorie,
Riordan, James R.,
Ritz Hotel,
Roa Kouri, Raul,
Robert,
Robert E. Lee Junior High
Roberts, Gene,
Roberts, Warren,
Robertson, Willard E.,
Rodgers, Eric,
Rodgers, Gladys,
Rodriguez, Arnesto N., Jr.,
Rodriguez, Arnesto N., Sr.
Rodriguez, Claudio,
Rodriguez, Evaristo Gilberto,
Rodriguez-Ortega, Evaristo Gilberto,
Rodriguez Alvarada, Jorge,
Rodriguez Mendez, Jose,
Rodriguez Menendez, Jose,
Rodriguez, Manuel,
Rolland, Chuck,
Roosevelt Hospital,
Roosevelt Hotel,
Rosco, Jose Ignacio,
Rosita de Hornedo Hotel,

Roslyn Hotel,
Ross Agency, Inc.,
Ross, Stanley,
Rowan, Carl,
Rowland, Arnold Louis,
Rowland, Mrs. Arnold,
Rowley, James J.,
Royal Orleans Hotel,
Rubenstein, Jack,
Ruby,
Ruby, Jack,
Ruedato, Pascual, *see* Gongora
Russia,
Russian Community,
Russo, Perry Raymond,
Ruth, Milton J.,
Ryder, Dial,

SS Barcelona,
St. Bernard Parish,
St. Tammany Parish,
St. Thomas Housing Project,
Salvation Army,
Salvatore, M.,
Salvatore's Tourist Rooms,
San Francisco *Examiner*,
Sanborn's Hi-Fi Center,
Sanders, Lloyd,
Sanders, Mazell,
Sanders, Neil,
Santana, Emile,
Sapp, Viola,
Saturn Aviation Service,
Saunders, Ethel,
Schacht, Hjalmar,
Scheuermann, John W.,
Schiro, Victor,
Schlaegar, Carl L. (*see* Schlager, Claude L.),
Schlager, Claude L.,
Schlesinger, Arthur,
Schlussler, Ken,
Schmitt, Catherine,
Schweitzer, A., College of,
Schweitzer, Albert,
Scott, Robert,
Secret Service,

agents, *see* Aragon, Ernest I.; Bouck, Robert Inman; Counts, Roger D.; Gerrets,
Anthony E.; Guthrie, Forrest G.; Kelley, Thomas J.; Killgore, Joseph B.; Kirby,
Carlos L.; Kunkel, Charles; Marshall, John A.; Paterni, Paul J.; Rhyan, Lillian L.;
Rice, John W.; Rowley, James J.; Steuart, Robert A.; Vial, Adrian G.
field offices, Dallas,

field offices, Houston,
field offices, Miami,
field offices, Mobile,
field offices, New Orleans,
files CO-2-32
files CO-2-34,
files HO-62-2115,
Segundo Frente del Escambray,
Senate Joint Resolution 137,
Seymour, Howard,
Seymour, William Houston,
Shaw, Clay,
Shearrer, Carl,
Sheraton-Johnson Hotel,
Shooters' Book of Guns, The,
Shull, Wilbur,
Silva, Leonardo,
Silver, Myra,
Singapore,
Sister William,
Skyways Motel,
Slawson,
Smith, Ben E.,
Smith, Ed, Stencil Works,
Smith, Sergio Arcacha, *see* Arcacha Smith,
Snyder, David,
Social Security Administration,
Socrates,
Soule Business College,
Soule, Frederick,
South Florida Sugar Company,
Southeastern Louisiana College,
Southern Bell Telephone Company,
Southern Cone (S.A.),
Southern Conference Educational Fund,
Southern Greyhound Bus Lines,
Southland Hotel,
Soviet Military Intelligence,
Soviet Union,
 see also under Russia
Spain,
Spanish Publications,
Specter, Arlen,
Sports Drome Rifle Range,
Springer, Eva,
Standard Auto Bumper Corp.,
Standard Coffee Company,
State Unemployment Commission, Louisiana,
States-Item, New Orleans,
Steele, Charles H., Jr.,
Steig, Edwin L.,

Steiman, Alta,
Stein, J. Philip,
Stein, Jerry, *see* J. Philip
Steinmeyer, Donald C.,
Stern, Samuel,
Steuart, Aobert A.,
Steve,
Stringer,
Stuckey, William K.,
Student Directorate of Cuba,
Student Revolutionary Council,
Students Revolutionary Directorate,
Sturkey, Bill, *see* Stuckey
Sullivan, Jack,
Sunday Star, Washington,
Sunshine Hotel,
Superior Equipment Co,
Supreme Court Building,
Sweatt, Allen,
Switzerland,
Sylvester, Joseph,

Taca Air Lines,
Tamaya, Albert,
Tamberella, Mr.,
Tangipahoa Parish,
Tankersley, Richmond,
Tavermilla,
Teelie Hotel,
Texas Employment Commission,
Texas Observer,
Texas Optical Instrument Company,
Texas School Book Depository Building,
Thailand,
Thibodeaux, Ella,
Thomas, J. Parnell,
Thompson, Robert E.,
Thornley, Kerry Wendell,
Thousand Days, A,
Times Square Motor Hotel,
Times of London,
Times-Picayune, New Orleans,
Tippit, J. D.,
Tomlinson, Darrell,
Touro Hospital,
Town and Country Magazine,
Town and Country Motel,
Trade Mart, *see* Dallas Trade Mart, International Trade Mart
Trade Winds Motel,
Trans Gulf Seaplane Service, Inc.,
Travelers Aid Society,

Travelers Hotel,
Trosclair, Presley J., Jr.,
Trousdale, E. E.,
Tsecouras, L.,
Tulane University,
Turku, University of,
Turnley,
Tweedle, William,

UCLA, *see* California, University of, at Los Angeles
UDT, *see* Underwater Demolition Teams
UPI, *see* United Press International
USIA, *see* United States Information Agency
U-2,
Ulfers, Charles,
Un-American Activities Committee, *see under* United States Congress
Underwater Demolition Teams,
Unare, Robert Davis,
United Nations,
United Press International,
United States,
United States Government,
 Army,
 Attorney General, L ; *see also* Clark, Ramsey
 Border Patrol,
 Congress,
 House Un-American Activities Committee,
 Senate,
 Judiciary Committee,
Constitution,
Customs,
District Court, Chicago,
District Court, New Orleans,
Engineers,
files,
Information Agency,
Justice, Department of *see also under* Federal Bureau of Investigation),
Marine Corps,
Navy,
Post Office Department,
 Dallas,
 New Orleans,
Printing Office,
Secret Service, *see under separate listing*
State, Department of,
 Embassy, Moscow,
 Embassy, Canberra,
 Embassy, Mexico City,
Supreme Court,
Treasury Department, *see also* Customs Service, Secret Service
US News and World Report,

United Taxi Cab,
Uruguay,
USS Barracuda,
USSR,
 Intelligence Training School,

VA. *see* Veterans Administration
VFW, *see* Veterans of Foreign Wars
Valdes Mollineda, Heriberto,
Valero, Diego,
Varona, Tony,
Venezuela,
Verb, Hal,
Veterans Administration,
Veterans of Foreign Wars,
Vial, Adrian G.,
Viater, Theodore R.,
Victor, Brother,
Vidacovich, Irvin
Vietnam,
Vieux Carre Commission,
Vilaboa, Napoleon,
Villodas Bird, Joaquin,
Vinson, J. D. ,
Viva Fidel,
Voebel, Edward,

WDSU,
WDSU-TV,
WHIO,
WHN,
WINS,
W.M.,
WMCA,
WNAC,
WVUE,
WWL-TV,
WWL Broadcasting Company,
Wade, Henry,
 see also Dallas District Attorney
Wahito (*see* Castro Alba),
Walker, Edwin A.,
Walker, J. S.,
Walker, Meta,
Walker, Moses Andre,
Wall, Ernest C., Jr., o
Waller, Alan,
Waller, Allen,
Walters Hotel,
Walters, Mrs. R. L.,
Walters, Ruth,

Weltzer, Bruce C.,
Wamsley, Lawrence,
Ward, Charles,
Ward Discount House,
Ward Hotel,
Warren Commission, *see* Commission, the President's
Warren, Earl,
Warren. Easton High School,
Washington *Daily News*,
Washington, George,
Washington, D. C.,
Washington Post, The,
Washington Star,
Weeks Service Station,
Wegmann, Edward,
Wegman, William,
Weiner, Jerry,
Weisberg, Harold,
Weiss, Max,
West Side Air Terminal,
Western Life Insurance Company,
Western Union,
Weston, Lois,
Weyl, Nathaniel,
Whidbee, Harry H.,
White Rose, The,
Whitewash: The Report On The Warren Report,
Whitewash II: The FBI-Secret Service Cover-up,
Whitewash III: The Archive (Retitled Photographic Whitewash: Suppressed Kennedy Assassination Pictures),
Whitney National Bank,
Whitney Field,
Whitten, Leslie H.,
Whitworth, Edith,
Williams, Cal,
Williams-McWilliam S Dredging Company,
Williamson, May,
Wilson, Frank,
Wilson, Matt,
Winn-Dixie Supermarket,
Winterland Skating Rink,
Woodrow Wilson Junior High School,
Worker, The,
World Citizenship, The,
Wulf, William E. ,

X, Mr.,
Xavier University,

YMCA, *see* Young Men's Christian Association
YWCA, *see* Young Women's Christian Association

Yockey, Ross,
York, James A.,
Young Men's Christian Association,
Young Republicans,
Young Women's Christian Association,
Truth Tapes Headquarters,

Zapata Swamp,
Zelden, Sam Monk,
Zilliken, Ethel,
Zuber, Cecil,